

# The Sugar and Sugar Products Control Order, 1948

**Notification No. Py.11/48.**-In exercise of the powers conferred by sections 3 and 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) and in super session of the Sugar Products Control Order, 1947, dated 4th August, 1947, issued by the Department of Food, Government of India, New Delhi by their Gazette, dated 16th August, 1947, the Government of Pakistan in the Ministry of Food, Agriculture and Health is pleased to make the following Order:-

1. (i) This Order may be called the Sugar and sugar Products Control Order, 1948.  
(ii) It extends to all the 'Provinces' of Pakistan.  
(iii) It shall come into force at once.
2. In this Order unless there is anything repugnant in the subject or context:-
  - (a) "Controller" means the person appointed as the Sugar Controller for Pakistan by the Government of Pakistan and includes any person authorized by the Controller to exercise all or any, of the powers of Controller under this Order except those under clause 6 hereunder,
  - (b) "Dealer" means a person carrying on business in the purchase, sale and for distribution of sugar and sugar products.
  - (c) "Ex-factory price" means the price of sugar inclusive of excise duty, packed in accordance with the usual market practice and loaded at the buyers' option on carts, lorries or other means of transport, or into railway station or riding generally used by the producer and all incidental charges including those for loading and forwarding, being on account of the ex-factory seller.
  - (d) "Producer" means a person carrying on the business of manufacturing sugar or sugar products or both with the aid of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal energy.
  - (f) "Sugar" means (i) any form of sugar containing more than 90 per cent of sucrose (ii) any sugar or crystalline structure.
  - (g) "Sugar Products" means any article manufactured from, and containing sugar not less than 26 per cent of its weight.
3. No producer shall dispose of or make delivery of, any sugar, except:-
  - (i) to or through a recognised dealer; or
  - (ii) to a person specially authorised in this behalf by the Controller to acquire sugar on behalf of the Government of Pakistan or of a Provincial Government or of a State in Pakistan.

4. (1) If the Controller has reason to believe that the production of special types of sugar or sugar products is likely to affect adversely the production of adequate quantities of ordinary sugar, he may, by general or special order, prohibit, or limit to such quantities as may be specified in the order, the manufacture by producer or by producers generally of such types or grades of sugar or sugar products the order may specify and not producer to whom such, order applies shall manufacture any sugar products in contravention thereof.

(2) For the purposes of sub-clause (i), "producer" includes a person carrying on the business of manufacturing any form of sugar containing more than 90 per cent sucrose including Khandsari Sugar, Desi Sugar and Bura.

5. Every producer and dealer shall comply with such directions regarding the production, sales, stocks and or distribution of sugar products as may from time to time he given to him by the Controller.

6. (1) The Controller may, from time to time, fix with the prior approval of the Federal Government by notification in the official Gazette the price or maximum price at which any sugar or sugar product may be sold or delivered, and different prices may be so fixed by him for different areas or different types or grades of sugar or sugar products.

(2) Where the maximum price has been so fixed:--

- (a) the price at which sugar or sugar products may be sold for delivery otherwise than ex-factory shall not exceed the price or maximum price, as the case may be, fixed under sub-clause (d) for sale ex-factory plus such charges in respect of transport to or in specified areas and other incidental charges as are approved by the Controller;
- (b) no person shall sell or purchase or agree to sell or purchase such sugar or sugar products at the price higher than that fixed under the provisions of sub-clause (I).
- (3) For the purpose of sub-clause (1), the Controller or any person authorised by him in this behalf may check, at any time, the accounts of any factory producing sugar or sugar products.

7. (1) The Controller may, from time to time with the prior approval of the Federal Government:"

- (i) allot quotas of sugar or sugar products or of both for the requirements of any specified province, or areas or market;
- (ii) issue directions to any producer or dealer to supply sugar or sugar products to such provinces, areas, or markets of such persons or organisations, in such quantities of such types or grades at such times, at such manner as may be specified by the Controller:

Provided that where price or maximum price of any sugar or sugar product has been fixed in accordance with sub-clause (I) of clause 6 the Controller shall in respect of sugar or sugar products specify the price or maximum price under paragraph (ii) of this sub-clause accordingly.

(2) The Controller may also, from time to time, require any producer or dealer to keep in reserve stocks of sugar or sugar products in such quantities and such types and grades as he may direct from time to time.

(3) Every producer shall, notwithstanding any existing agreement with any other person, give priority to and comply with any directions issued to him under sub-clause (I).

8. ( I ) No sugar shall be transported or offered or accepted for transport, whether by rail, road or water or by any other means of transport and whether by a railway servant, common carrier, or other person except under and in accordance with the terms of-

- (a) general or special permit issued by the Controller in this behalf, or
- (b) a Military Credit Note:

Provided that nothing in this sub-clause shall apply to the transport' of sugar not exceeding 5 seers as part of the personal luggage of a *bona fide* traveller.

(2) A permit issued in pursuance of sub-clause (I) shall be returned by the consignor to the Controller on completion of despatch or on expiry of the period of its validity whichever is earlier, with the particulars of actual despatches in the prescribed form.

(3) For the purposes of this clause "sugar" means (i) sugar manufactured by any process, including sugar made in vacuum pan factories from cane or gur or palmyrah jaggery, as well as Khandsari sugar, sugar-candy (misri) and bum, (ii) and Sugar imported from other countries including India.

9. The Controller may, by notification in the official Gazette, make rules for carrying into effect the purposes and object of this Order.

10. Notwithstanding the super session of the Sugar and Sugar Products Control Order, 1947, dated 4th August, 1947, all notifications, rules, order, authorizations, quotas, requirements and directions issued or deemed to have been made there under or previously shall so far as the inconsistent with this Order, be deemed to have been made hereunder and they shall continue in force until rescinded or modified hereunder.

11. If any person contravenes the provisions of this Order, then without prejudice to any other punishment to which he may be liable any Court trying the offence may order that any stocks of sugar or sugar products, together with the packages and covering thereof; in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to Government.