

SINDH ORDINANCE NO. XVII OF 1993.
THE SUGAR FACTORIES CONTROL (SINDH AMENDMEN) ORDINANCE, 1993.

[25TH November, 1993]

**An Ordinance to amend the Sugar Factories Control Act, 1950,
as applicable to Sindh.**

WHEREAS it is expedient to amend the Sugar Factories Control Act, 1950, as applicable to Sindh, in the manner hereinafter appearing; **Preamble.**

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Sugar Factories Control (Sindh Amendment) Ordinance, 1993. **Short title and commencement.**
- (2) It shall come into force at once.
2. In the Sugar Factories Control Act, 1950, as applicable to Sindh hereinafter referred to as the said Act, the word “Provincial” wherever occurring shall be deleted. **Amendment of Act XXII of 1950.**
3. In the said Act, in section 2—
 - (i) In clause (e), the words “and who is not a Member of a Cane and Growers “Cooperative Society”, shall be deleted;
 - (ii) Clause (f), shall be deleted;
 - (iii) in clause (h), for the figure and the word “30th June”, the figure and the word “15th April”, shall be substituted;
 - (iv) in clause (i), the words “by means of vacuum pans”, shall be deleted;
 - (v) after clause (i), the following new clause shall be inserted:—
“(i-a) “Government” means the Government of Sindh”;
 - (vi) clause (m) shall be deleted.**Amendment of section 2 of Act XXII of 1950.**
4. In the said Act, in section 8, in the proviso, between the word “start” and the word “crushing” the words “and close” shall be inserted: **Amendment of section 8 of Act XXII**

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5. In the said Act, in section 10, in sub-section (2), for the words “Commissioner of the Division” shall be substituted. **of 1950.**
Amendment of section 10 of Act XXII of 1950.
6. In the said Act, in section 12, for the words “and Cane-Grower’s Cooperative Societies” shall be deleted. **Amendment of section 12 of Act XXII of 1950.**
7. In the said Act, in section 13— **Amendment of section 13 of Act XXII of 1950.**
- (i) Sub-section (1), shall be deleted;
- (ii) For sub-section (2), the following shall be substituted :—
“(2) the occupier of a Factory for which an area is reserved shall enter into an agreement with the cane-grower to purchase Cane in such form, on such terms and conditions and on such date as may be prescribed.”,
- (iii) In sub-section (3), the words “by a purchasing agent or” shall be deleted;
- (iv) For sub-section (4), the following shall be substituted:—
“(4) the cane grown in a reserve area shall not be sole by any person other than a cane-grower”.
8. In the said Act, in section 14— **Amendment of section 14 of Act XXII of 1950.**
- (i) For sub-section (ii), the following shall be substituted:—
“(ii) The occupier of a Factory, for which an area has been assigned, shall enter into an agreement with cane-growers in the assigned area for the purchase in the assigned area of such quantity of cane in such form, on such terms and conditions and by such date may be prescribed.”;
- (ii) Sub-sections (iii), (iv) and (v), shall be deleted;
- (iii) For sub-section (vi), the following shall be substituted:—
“(vi) An appeal against an order under sub-section (1) shall lie to the Government.”.
9. In the said Act, in section 14-A, the words “or Cane-Growers” Cooperative Societies” shall be deleted. **Amendment of section 14-A of Act XXII of 1950.**
10. In the said Act, in section 15— **Amendment of**

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- section 15 of Act XXII of 1950.**
- (i) clauses (b) and (c), shall be deleted;
- (ii) in the proviso, the words “or through a carrier”, shall be deleted.
11. In the said Act, in section 16—
- Amendment of section 16 of Act XXII of 1950.**
- (i) for sub-section (iii), the following shall be substituted :—
“(iii) The occupier of a Factory shall not make any deduction from the amount due for cane sold to him by a Cane-grower except such deductions as may be prescribed or as the Government may, by notification, from time to time, allow;”.
- (ii) the words “or Cane-Growers” Cooperative Society”, shall be deleted.
12. In the said Act, for section 17, the following shall be substituted:-
- Amendment of section 17 of Act XXII of 1950.**
- “17. No person or class of persons shall be employed by an occupier of a Factory to do any work or class of work in connection with any transaction for the purchase of cane.”.
13. In the said Act, in section 18, in sub-section (i), the words “or the members of Cane-Growers’ cooperative Societies”, shall be deleted.
- Amendment of section 18 of Act XXII of 1950.**
14. In the said Act, in section 21, for the words “fifteen thousand” the words “one Lac”, shall be substituted.
- Amendment of section 21 of Act XXII of 1950.**
15. In the said Act, in section 22—
- (i) in sub-section (i), the words “Collector or”, shall be deleted;
- (ii) in sub-section (ii), the words “or the Collector”, shall be deleted;
- (iii) in sub-section (iv), in clause (c), for the words “any officer not below the status of a Collector”, the words “the Cane Commissioner”, shall be substituted.
16. In the said Act, in section 23, in sub-section (4), for the words “Sections 8 and 14(v)”, the words “section 8”, shall be substituted.
- Amendment of section 23 of Act XXII of 1950.**