

THE SUGAR CANE ACT.

[INDIA ACT XV, 1934.]

Commence-
ment.

1. This Act shall come into force on such date as the President of the Union may, by notification¹, appoint in that behalf.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

- (1) “controlled area” means any area specified in a notification issued under sub-section (1) of section 3 ;
- (2) “factory” means any premises (including the precincts thereof) wherein twenty or more workers are working or were working on any day of the preceding twelve months, and in any part of which any manufacturing process connected with the production of sugar is being carried on or is ordinarily carried on with the aid of power ; and
- (3) “sugar” means any form of sugar containing more than ninety per cent. of sucrose.

Declaration
of controlled
areas, and
fixing of
prices.

3. (1) The President of the Union may, by notification in the Gazette, declare any area specified in the notification to be a controlled area for the purposes of this Act.

(2) The President of the Union may, by notification in the Gazette, fix a minimum price or minimum prices for the purchase in any controlled area of sugar cane intended for use in any factory.

(3) The President of the Union may, by notification in the Gazette, prohibit in any controlled area the purchase of sugar cane intended for use in any factory otherwise than from the grower of the sugar cane or from a person licensed by the President of the Union to act as a purchasing agent.

Previous
publication
of notifica-
tions under
section 3.

4. Not less than thirty days before the issue of any notification under sub-section (1) or sub-section (2) of section 3, the President of the Union shall publish in the Gazette and in such other manner (if any) as he thinks fit a draft of the proposed notification, specifying a date on or after which the draft will be taken into consideration, and shall consider any objection or suggestion which may be received from any person with respect to the draft before the date so specified.

Penalty for
purchase of
sugar cane
in contra-
vention of
notification
under sec-
tion 3.

5. Whoever in any controlled area purchases any sugar cane intended for use in a factory at a price less than the minimum price fixed therefor by notification under sub-section (2) of section 3, or in contravention of any prohibition made under sub-section (3) of section 3, shall be punishable with fine which may extend to two thousand rupees.

¹ No notification under this section has so far been issued.

6. No Court shall take cognizance of any offence punishable under section 5 except upon complaint made by order of, or under authority from, the District Magistrate,

Sanction for prosecution under this Act.

7. (1) The President of the Union may, by notification in the Gazette, make rules for the purpose of carrying into effect the objects of this Act.

Power of President to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the carrying out of inquiries preliminary to the exercise of the powers conferred by section 3 ;
- (b) establishing advisory committees for any purpose connected with the administration of this Act and defining the powers, functions and procedure of such committees ;
- (c) the issue of licences to purchasing agents, the fees for such licences, and the regulation of the purchase and sale of sugar cane by and to such agents ;
- (d) the organisation of growers of sugar cane into societies for the sale of sugar cane to factories ;
- (e) the authorities by which any functions under this Act or the rules made thereunder are to be performed ; and
- (f) the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Act.

(3) In making any rule under sub-section (1), or under clause (c) or clause (f) of sub-section (2), the President of the Union may provide that a breach of the rule shall, where no other penalty is provided by this Act, be punishable with fine not exceeding two thousand rupees.

8. The President of the Union after previous publication may, by notification in the Gazette, make rules providing for the exemption of factories or any class of factories from the provisions of this Act.

Power of President to make exemptions.

THE BURMA MERCHANDISE MARKS ACT.

[INDIA ACT IV, 1889.] (1st April, 1889.)

1. * * * *

2. In this Act, unless there is something repugnant in the subject or context,—

Definitions.

(1) "trade mark" has the meaning assigned to that expression in section 478 of the Penal Code * * * *¹

(2) "trade description" means any description, statement or other indication, direct or indirect,—

(a) as to the number, quantity, measure, gauge or weight of any goods, or

¹ The words "as amended by this Act" were deleted by Act II, 1945.