

Uttar Pradesh Sugar Undertakings (Acquisition) (Amendment) Act, 2009

3 of 2009

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An Act further to amend the Uttar Pradesh Sugar Undertakings (Acquisition) Act, 1971 to provide for disinvestment and sale of the scheduled undertakings and sugar mills of the Uttar Pradesh State Sugar Corporation Limited and its subsidiaries and matters connected therewith and incidental thereto Whereas in the present economic scenario it is expedient in public interest that the State Government divests itself of its shares in the Uttar Pradesh State Sugar Corporation Limited and the scheduled undertakings and the sugar mills of the Uttar Pradesh State Sugar Corporation Limited and its subsidiaries are privatized either by way of sale or any other mode of transfer; It is hereby enacted in the Sixtieth Year of the Republic of India as follows:-- 1. Received the assent of the Governor on February 19, 2009 and published in the U.P. Gazette, Extra., Part 1, Section (Ka), dated 20th February, 2009, pp. 3-5

1. Short Title And Commencement :-

- (1) This Act may be called the Uttar Pradesh Sugar Undertakings (Acquisition) (Amendment) Act, 2009.
- (2) It shall be deemed to have come into force on September 29, 2008.

2. Insertion Of New Sections 3-A, 3-B, 3-C, 3-D And 3-E In U.P. Act No. 23 Of 1971 :-

After Section 3 of the Uttar Pradesh Sugar Undertakings (Acquisition) Act, 1971, hereinafter referred to as the principal Act the following sections shall be inserted, namely:--

"3-A. Notwithstanding anything to the contrary contained in any other provision of this Act, the State Government may, if it considers necessary or expedient in public interest, divest, sell off, transfer or otherwise part with all or any of its shares in the Corporation at any time.

3-B. Notwithstanding anything to the contrary contained in any other provision of this Act, the Corporation or any of its subsidiaries may, in public interest, sell or transfer any of its assets and/or liabilities or part thereof which have vested in the Corporation in accordance with the provisions of this Act, or in any other manner.

3-C. Notwithstanding anything to the contrary contained in any other law for the time being in force it shall be lawful for the State Government, if it is satisfied that in the public interest it is necessary to do so, to change the land use or to issue directions for change of land use in relation to the land belonging to the scheduled undertakings of the Corporation or in relation to land belonging to any sugar mill acquired or established by the Corporation or its subsidiaries at any time.

3-D. The Government Order No. 1215S.C./18-2-07-56/07T.C., dated June 4, 2007 and all subsequent Government Orders, notifications or policy statements issued and actions taken in relation to disinvestment, privatization, sale, transfer in any form or closure of the scheduled undertakings or sugar mills of the Corporation and its subsidiaries or in relation to the Corporation itself shall stand validated.

3-E. Power to remove difficulties.--If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by notified order make provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing such difficulty:

Provided that no order under this section shall be made after expiration of a period of two years from the commencement of the Uttar Pradesh Sugar Undertakings (Acquisition) (Amendment) Act, 2009."

3. Repeal And Saving :-

(1) The Uttar Pradesh Sugar Undertakings (Acquisition) (Amendment) Ordinance, 2008 (U.P. Ordinance No. 6 of 2008) is

hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.