

29. का.आ. 3663(अ)/आवश्यक वस्तु/गन्ना तारीख 26.07.2018  
 30. का.आ. 5258(अ)तारीख 12.10.2018  
 31. का.आ. 4149(अ)/आवश्यक वस्तु/गन्ना तारीख 19.11.2019

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**

**(Department of Food and Public Distribution)**

**ORDER**

New Delhi, the, 30th December, 2020

**S.O. 4778(E).**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Sugarcane (Control) Order, 1966, namely: -

1. (1) This Order may be called the Sugarcane (Control) Amendment Order, 2020.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Sugarcane (Control) Order, 1966, for clause 6C, the following clause shall be substituted, namely:-

“6C. Time-limit to implement Industrial Entrepreneur Memorandum.- (1)The stipulated time for taking effective steps as specified in *Explanation 4* to clause 6A shall be three years and the commercial production of sugar shall commence within five years from the date of filing of the Industrial Entrepreneur Memorandum with the Central Government under sub-clause(1) of clause 6B failing which the Industrial Entrepreneur Memorandum shall stand de-recognised as provided in sub-clause:(2) thereof, and the performance guarantee furnished thereunder shall be forfeited:

(2) The time limit specified in sub-clause (1) may be extended in the following manner, namely:-

(a) where the delay is due to any unforeseen circumstances beyond the control of the person concerned such as natural calamities including drought or non-availability of sugarcane (raw material) during off season in the year in which the stipulated period terminates or non-financing of sugar sectors or delay in getting necessary approvals from the State Government or due to any court case relating to land use, environment or such other reason, that may have arisen within five years from the date of filing of Industrial Entrepreneur Memorandum, the Chief Director (Sugar), Department of Food and Public Distribution, Ministry of Consumer Affairs, Food and Public Distribution may, after the expiry of five years' period stipulated in sub-clause (1), extend the period stipulated in sub-clause (1) to a further period of two years, not exceeding more than a year at a time:

Provided that such extension for taking effective steps or for the commencement of commercial production of sugar, may be granted in consultation with the State Government concerned and the Department of Legal Affairs, Ministry of Law and Justice, if considered necessary:

Provided further that in case where the commercial production of sugar does not commence within such extended period, the bank guarantee furnished under sub-clause (2) of clause 6B shall be forfeited;

(b) in case where such delay arising due to any unforeseen circumstances or delay in getting necessary approvals from the State Government or court case relating to land use, environment or such other reason continues beyond the period extended under item (a), the Chief Director (Sugar), Department of Food and Public Distribution, Ministry of Consumer Affairs, Food and Public Distribution may grant extension of such further period, as he deems fit, not exceeding more than a year at a time, subject to furnishing of a bank guarantee of rupees fifty lakh for each year for which the extension is sought, which shall be in addition to the bank guarantee furnished under sub-clause (2) of clause 6B:

Provided that such extension for taking effective steps or for the commencement of commercial production of sugar, may be granted in consultation with the State Government concerned and the Department of Legal Affairs in the Ministry of Law and Justice, if considered necessary:

Provided further that in case the commercial production does not commence within any such extended period of one year, such bank guarantee of rupees fifty lakh so furnished for that one year of extension shall be forfeited and if commercial production does not commence within any of such extended period, the bank guarantee furnished under sub-clause (2) of clause 6B shall also be forfeited.

(c) notwithstanding anything contained in this sub-clause, in view of the problems faced by the project proponents on account of lockdown imposed due to Corona Virus Pandemic (COVID-19), further extension of one year may be granted beyond the period stipulated or extended under this clause for

implementation of Industrial Entrepreneur Memorandum if such stipulated period or extension falls during the period between the 1<sup>st</sup> day of March, 2020 and the 28<sup>th</sup> February, 2021 and in such cases, the condition relating to furnishing of bank guarantee under item (b) shall not apply”.

[F. No. 27(4)/2006-ST(Vol.II)]

SUBODH KUMAR SINGH, Jt. Secy.

**Note:-** The principal order was published in the Gazette of India, Extraordinary under Order number G.S.R. 1126,(E), Ess. Com/Sugarcane dated the 16th July, 1966 and was subsequently amended vide:-

1. G.S.R. 35/Ess.Com/Sugarcane dated 05.01. 1967
2. G.S.R. 1591/Ess.Com/Sugarcane dated 17.10.1967
3. G.S.R. 945/Ess.Com/Sugarcane dated 18.05.1968
4. G.S.R.1456/Ess.Com/Sugarcane dated 02.08.1968
5. G.S.R. 620(E)/Ess.Com/Sugarcane dated 08.04.1970
6. G.S.R. 402(E)/Ess.Com/Sugarcane dated 25.09.1974
7. G.S.R. 492(E)/Ess.Com/Sugarcane dated 12.09.1975
8. G.S.R. 542(E)/Ess.Com/Sugarcane dated 27.10.1975
9. G.S.R. 484(E)/Ess.Com/Sugarcane dated 26.07.1976
10. G.S.R. 799(E)/Ess.Com/Sugarcane dated 13.09.1976
11. G.S.R. 815(E)/Ess.Com/Sugarcane dated 24.09.1976
12. G.S.R. 913(E)/Ess.Com/Sugarcane dated 09.12.1976
13. G.S.R. 62(E)/Ess.Com/Sugarcane dated 02.02.1978
14. G.S.R. 197(E)/Ess.Com/Sugarcane dated 28.03.1978
15. G.S.R. 427(E)/Ess.Com/Sugarcane dated 03.07.1981
16. G.S.R. 79(E)/Ess.Com/Sugarcane dated 24.02.1982
17. G.S.R. 695(E)/Ess.Com/Sugarcane dated 09.09.1983
18. G.S.R. 903(E)/Ess.Com/Sugarcane dated 29.11.2000
19. G.S.R. 113(E)/Ess.Com/Sugarcane dated 20.02.2003
20. G.S.R. 204(E)/Ess.Com/Sugarcane dated 22.03.2004
21. S.O. 1940 (E) dated 10.11.2006
22. S.O. 1309(E)/Ess.Com/Sugarcane dated 31.07.2007
23. S.O. 2198(E)/Ess.Com/Sugarcane dated 28.12.2007
24. S.O. 2984(E)/Ess.Com/Sugarcane dated 29.12.2008
25. S.O. 2665(E)/Ess.Com/Sugarcane dated 22.10.2009
26. S.O. 33(E)/Ess.Com/Sugarcane dated 07.01.2010
27. G.S.R. 2787/Ess.Com/Sugarcane dated 24.08.2016
28. S.O. 3093(E)/Ess.Com/Sugarcane dated 30.09.2016
29. S.O. 3663(E)/Ess.Com/Sugarcane dated 26.07.2018
30. S.O. 5258(E) dated 12.10.2018
31. S.O. 4149(E)/Ess.Com/Sugarcane dated 19.11.2019