

SUGARCANE CESS (VALIDATION) REPEAL ACT, 2001

35 of 2001

[September 3, 2001]

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Prefatory Note Statement of Objects and Reasons. By a judgment delivered on the 13th December, 1960 in the case of Diamond Sugar Mill., Ltd. v. State of U.P., AIR 1961 SC 652. the Supreme Court held the U.P. Sugarcane Cess Act, 1956 as ultra vires and beyond the competence of the State Legislature. In order to overcome the difficulties arising from tile said decision, the U.P. Sugarcane Cess (Validation) Act, 1961 was enacted to validate the cess levied and collected under the U.P. Sugarcane Cess Act, 1956. The Sugarcane Cess (Validation) Act, 1961 validated the sugarcane cess imposed, assessed ui collected by the State Governments of Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh. Maharashtra and Tamil Nadu under their respective State Acts. 2. The Commission on Review of Administrative Laws, which was set up by the Government of India on the 8th May, 1998 to, inter alia, review administrative laws, regulations and procedures admiristered by various Ministries and Departments and to make recommendations for repeal of such laws, presented its report to the Government on the 30th September, 1998. In pursuance of the recommendations of tlie Commission. the Central Government, after consulting the State Governments concerned, proposes to repeal the Sugarcane Cess (Validation) Act, 1961 which has since outlived its utility. 3. The Bill seeks to achieve the above object.

1. Short title. :-

This Act may be called the Sugarcane Cess (Validation) Repeal Act,

2001.¹

1. Received the assent of the President on September 3, 2001 and published in the Gazette of India, Extra., Part II, Section 1, dated 3rd September, 2001, p.l. No. 42

2. Repeal of Act 38 of 1961. :-

The Sugarcane Cess (Validation) Act, 1961 is hereby repealed.