

U.P.SUGARCANE CESS (VALIDATION) REPEAL ACT, 2001

17 of 2001

[August 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 Mills 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 the said decision, the U.P. Sugarcane (Cess) Validation Act, 1961 was enacted to validate the cess levied and collected before the 3rd February, 1961 under the U.P. Sugarcane Cess Act, 1956. 2. The commission on Review of Administrative Laws, which was set up by the Government of India on the 8th May, 1998 to undertake, inter alia, an overview of steps taken by different Ministries/Departments for the review of administrative laws, regulations and procedures administered by them and to make recommendations for repeal or amendment of laws, regulations and procedures presented its report to the Government on the 30th September, 1998. In pursuance of the recommendations of the said Commission, the Central Government, after consulting the Government of Uttar Pradesh, proposes to repeal the U.P. 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 U.P.Sugarcane Cess (Validation) Repeal Act, 2001.¹

1. Received the assent of the President on August 3, 2001 and published in the Gazette of India, Extra., Part II, Section 1, dated 4th August, 2001, p.l. No. 23

2. Repeal of Act 4 of 1961. :-

The U.P.Sugarcane Cess (Validation) Act, 1961 is hereby repealed.