

WEST BENGAL MOLASSES CONTROL ACT, 1949

West Bengal Act XIV of 1949 THE WEST BENGAL MOLASSES CONTROL ACT, 1949. [Passed by the VVeSt Bengal Legislature.] [Assent of the Governor General was first published in the Calcutta Gazette, Baetraord,inary, of the 31st March, 1949.] An Act to provide for control of the production, supply and distribution of) and trade in, molasses in West Bengal. WHEREAS it is expedient to provide for control of the production, supply and distribution of, and trade in, molasses in West Bengal; It is hereby enacted as follows : — 1. (1) This Act may be called the West Bengal Molasses Control Act, 1949. (2) It extends to the whole of West Bengal. (3) It shall come into force on the 1st day of April, 1949. (4) It shall remain in force for three years Only but, the Provincial Government may, by notification in the Official Gazette, direct that it shall remain in force for such further period or periods not exceeding two years in the aggregate as may be specified in the notification. Short title, extent, commence- ment and duration

2. In this Act, unless there is anything repugnant in the Definitions,subject or context,— (a) "molasses" means the final résiduajl by-product of factories manufac.turing sugar from cone, or by refining gur; by means of vacuum pang, but does not include convertible molasses which are the final residual by-product of factories operating on the open pan system ; (b) "notified order" means an order. notified in the Official Gazette. 3. (1) The Provincial Government, so far as it appears Powers to to it to— be necessary of expedient for maintaining or increasing duction, control pro- the supply of molasses or for securing the equitable distribu- supply and tion or availability of molasses at fair prices, may, by notified distribution order, provide for regulating or prohibiting the production, Of, and supply and distribution thereof and trade therein within trade in, West Bengal. molasses. (2) Without prejudice to the generality of the powers conferred by sub-section (1) an order made thereunder may provide,— (a) for regulating by license, permits or otherwise the production of molasses ; (b) for controlling the prices at which molasses may be purchased' or sold; (c) for regulating by license, permits or otherwise the storage, trausport, distribution, disposal, acquisi- tion, use or consumption of molasses ; (d) for requiring any person holding stocks of molasses to sell them at fair prices to specified persons or classes Of persons or in specified circumstances ; Price—Indian, annas 3 ; English, 4de 2 The West Bengal Molasses Control Act, 1949. [West Ben. Act (Sections 4—6.) (e) for •collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters ; (f) for requiring persons engaged in the production, supply_ or distribution of, or trade in, molasses, to maintain and produce for inspection any books, accounts and records• relating to their business and to furnish any information relating thereto ; (g) for any incidental and supplementary matters, including in particular the entering and search of premises, vehicles, vessels and aircrafts, the seizure by a person authorised by the Provincial Govern- ment in writing to make such search of any molasses in respect of which such person has reason to believe that a Contravention of the order has been, is being or is about to be committed, the grant or issue of licenses, permits or other docu- ments, and the charging of fees therefor, Saving. Effect of orders in- consistent with other enact- ments. P enalties. (3) Nothing ill Sub-geotions (1) and (2) shall authorise the making of any order which prohibits or restricts, or enables any action to be taken for prohibiting or restricting, the entry into, or export from, West Bengal -of molasses

4. Any order made or deemed to have been made under any provision of the Bengal Molasses Control Ordinance, Ben.Ord. 1946, as enacted and continued in operation by or under the 111 of 1946. Bengal Ordinances Temporary Emactment Act, 1947, and as Ben. Act I further enacted and continued in operation by or under the of 1947. West Bengal Expiring Laws Act, 1948, and in force West immediately before the commencement of this• Act, shall Act V of continue in force •and be deemed to have been made under 1948• the corresponding provision of this Act; and all licenses or permits granted, orders, directions or notifications issued and prices fixed under any such order, and in foree immediately before such commencement, shall likewise continue in force and be deemed to have been granted, issued or fixed in pur- suance of the provisions of this Act and all penalties incurred and all proceedings commenced under the said Ordinance as so enacted and con binued in operation shall be deemed to have been indurred or commenced under this Act, 5. Any. order made or deemed to have been made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in •any enactment other than this Act or in any instrument having effect by virtue of any enactment other than Chis Act

6. If any person contravenes any order made or deemed to have been made under section 3, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both, and, if the order so any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to His Majesty.The West Benge Control Act, 1949. xuv of '949.1 (Sections 7—10.) 3 7. Any person who attempts to contravene, or abets a Attempts, contravention of, any order made or deemed to have been etc" to made under section 3 shall be deemed to have contravened contravene orders. that order

8. If the person contravening an order made or deemed Offences by to have been made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the con- travention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention

9. No Court shall take cognizance of any offence puffish- able under *this Act except on a report in wrlting of the facts Act XLV constituting such offence madé by a person who is a public of 1860.servant as defined in section 21 of the Indian Penal Code. 10. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made OT deemed to have been made under section 3. (2) No suit or other legal proceeding shall lie against the Crown for any damage caused or likely to be caused by anything which is in good faith done gr intended to be done in pursuance of any order made or deemed to have been made under kection 3. WBGP.49/50-ö473A-2M corpora. tions. Cognizance of offences. Protection of action taken under the Act.

