

UTTAR PRADESH SUGAR AND POWER ALCOHOL INDUSTRIES  
LABOUR WELFARE AND DEVELOPMENT FUND  
ACT, 1950<sup>1</sup>

[U. P. Act No. XVI of 1951]

*Amended by*

U. P. Act No. 27 of 1953

[ As passed by the Uttar Pradesh Legislature, received the assent of the President on May 19, 1951, under Article 201 of the Constitution of India and was published in the *Uttar Pradesh Gazette Extraordinary*, dated June 2, 1951.]

AN

ACT

*to make better provision for financing measures for promoting the welfare of labour employed in the sugar and power alcohol industries, and for the development of these industries.*

WHEREAS funds have been acquired, and may hereafter be acquired, for the purpose of financing measure for promoting the welfare of labour employed in the sugar and power alcohol industries ; including housing and the provision of dispensary services ;

AND WHEREAS it is expedient to provide for the constitution of a Fund and to provide for a suitable machinery to operate the same ;

It is hereby enacted as follows :

**Short title,  
extent and  
commencement**

1. (1) This Act may be called The Uttar Pradesh Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force on such date<sup>2</sup>, as may be prescribed by notification in the official *Gazette*.

**Definition**

2. In this Act, unless there is anything repugnant in the subject or context —

(a) “Advisory Committee” means Advisory Committee constituted under section 12 ;

(b) “Central Government” shall have the meaning assigned to it in the General Clauses Act, 1897 ;

(c) “Commissioner” means the Labour Welfare Commissioner appointed under section 13, and includes any officer authorized in

---

1. [For Statement of Objects and Reasons see Gaz. Extra, dated Aug. 5, 1950.](#)

2. [The Act came into force with effect from the 1<sup>st</sup> day of Sept., 1951. \(Revised by sec. 2 of U.P. Act No. 27 of 1953.](#)

writing by the Commissioner to exercise any of his functions under this Act ;

(d) “Factory” has the meaning assigned to it in the Factories Act, 1948 ;

(e) “Fund” means the U. P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund constituted under section 3 ;

(f) “Housing Board” means the Labour Housing Board constituted under section 10 ;

(g) “Prescribed” means prescribed under this Act ; and

(h) “State Government” means the Government of Uttar Pradesh.

**Establish-  
ment of the  
U. P. Sugar  
and Power  
Alcohol  
Industries  
Labour  
Welfare Fund**

**3.** (1) There shall be established by the State Government a Fund called the U. P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund.

(2) The Fund shall be maintained in the prescribed manner in the Reserve Bank of India or with the permission of the State Government in a Schedule Bank.

(3) All sums acquired or to be acquired, or to be paid for and on behalf of the Fund shall be paid by the Collecting Agencies as may be prescribed in the account of the Fund in the Reserve Bank of India, Kanpur or the Scheduled Bank as the case may be.

(4) The Fund shall consist of three separate accounts, viz.—

(a) Housing Account,

(b) General Welfare Account,

(c) Development Account.

(5) There shall be credited to each account—

(i) such money or moneys as may be allotted to the account from out of the resources of the Fund by the State Government from time to time by notification in the official *Gazette*.

(ii) any grants made thereto by the State Government ;

(iii) any contributions made thereto by any other person or persons ; and

(iv) charges, fees or other moneys paid or payable to such account in such manner as may be prescribed ;

Provided that there shall be credited to the Housing Account, further—

(a) rents, if any, realised from housing accommodation constructed out of such account,

(b) any other moneys received by the Housing Board.

(6) All other moneys received for and on account of the Fund shall be apportioned and credited to each of the aforesaid accounts in the prescribed manner.

**Purpose for which the Fund may be utilized**

**4.** (1) The Fund shall be utilized for the purpose of financing measures for promoting the welfare of labour employed in the sugar and power alcohol industries, including housing, provision of dispensary services and the development generally of the sugar and power alcohol industries.

(2) Without prejudice to the generality of the foregoing provisions, the money in each account of the Fund may be utilized to defray ;

**A. Housing Account—** (a) The cost of erecting, maintaining, repairing housing accommodation for labour employed in the sugar and power alcohol industries and of providing services and facilities connected therewith ;

(b) the cost of preparing schemes, and of acquiring any land or purchasing any property required, for the purposes referred to in clause (a) ;

(c) the grant, subject to the previous approval of the State Government, to local authority, housing society or the owner, agent or manager, of a sugar or power alcohol factory, of money in aid of any scheme approved by the Housing Board for the purposes referred to in clauses (a) and (b) ;

(d) the allowances, if any, of members of the Housing Board and the amounts debitable to the account under sub-section (1) ;

(e) any other expenditure which the State Government directs to be defrayed out of the Housing Account of the Fund.

**B. General Welfare Account—** (a) The cost of measures for the benefit of labour employed in the sugar and power alcohol industries directed towards—

(i) the improvement of health and sanitation, the prevention of disease, the provision of medical facilities, maternity and the improvement of existing medical facilities, including the provision and maintenance of dispensary services in sugar and power alcohol factories, the owners of which do not receive grant-in-aid under sub-section (3), the promotion of industrial hygiene, and the undertaking of medico-social investigation ;

(ii) the provision of water supplies, and facilities for washing and the improvement of existing supplies and facilities ;

(iii) the provision and improvement of educational facilities, including libraries, reading rooms, community wireless listening ;

(iv) the improvement of the standard of living, including nutrition, amelioration of social conditions and the provision of recreational facilities ;

(v) the provision of transport to and from work ;

(b) the allowances, if any, of the members of the Advisory Committee and the amounts debitable to the account under sub-section (1) ;

(c) any other expenditure which the State Government directs to be defrayed out of the General Welfare Account of the Fund.

**C. Development Account—** (a) The cost of providing facilities for imparting technical education and training connected with the manufacture of sugar, alcohol and products derived therefrom, including the growing of sugarcane, and the utilization of bye-products of both industries ;

(b) the cost of providing facilities of all kinds for research connected with the growing of sugarcane and the manufacture and utilization abovementioned, including the financing of pilot and large-scale trials ;

(c) the cost of providing facilities generally for the development of the sugar and alcohol industries including the building of roads and the provision of facilities for irrigation.

(3) Notwithstanding anything contained in sub-section (2) the State Government may, out of the General Welfare Account of the Fund, pay annually, grants-in-aid to such of the owners of sugar and power alcohol factories as maintain, to the satisfaction of the Commissioner, dispensary services of the prescribed standard for the benefit of the labour employed in their factories, so however, that the amount payable as grant-in-aid to the owner of a concern shall be determined from time to time, by the prescribed authority in the prescribed manner ;

Provided that no grant-in-aid shall be payable in respect of any dispensary service maintained by the owner of the sugar and power alcohol factories, if the amount expended thereon, as determined by the prescribed authority is less than the prescribed sum.

**Expenditure  
from the  
Fund**

**5. (1)** The following expenditure shall be debitable to the Fund ;

(a) all expenditure incurred in connexion with any of the purposes mentioned in section 4 ;

(b) the cost of administering the Fund and the salaries and allowances, if any, of the Commissioner, Inspectors, Welfare Officers and other staff appointed to supervise or carry out measures financed from the Fund.

(2) The expenditure debitable to the Fund shall be apportioned between and debited to each account of the Fund in such manner as may be prescribed.

(3) The State Government shall have power to decide whether any particular expenditure is or is not debitable to the Housing Account or the General Welfare Account, or the Development Account of the Fund, and its decision shall be final.

(4) Before incurring any expenditure from the Fund, other than expenditure of a routine or urgent nature, the State Government or, as the case may be, the Housing Board, shall consult the Advisory Committee.

(5) The State Government may, from time to time, give such directions as it thinks fit in respect of expenditure from the Fund.

**Administra-  
tion and  
management  
of the Fund**

**6.** The management, administration, control and custody of the Fund and the application and payment therefrom shall be in accordance with the rules framed by the State Government.

**Audit of  
account**

**7.** The accounts of the Fund shall be audited annually by a person appointed in this behalf by the State Government and a copy of the report shall be sent to the State Government and the Advisory Committee.

The audit report shall be considered by the authority managing the Fund and the action taken thereon shall be intimated to the State Government.

**Publication  
of accounts  
and  
expenditure**

**8.** The State Government shall publish in the official Gazette each year in the month of February an estimate of receipts into and expenditure from the Fund together with a statement of accounts and a report of the activities financed during the previous year from the accounts of the Fund ;

Provided that when Fund is constituted for the first time such publication may be delayed until and including the month of June next following such constitution.

**Investment  
of moneys in  
the Fund**

**9.** The State Government may, from time to time, invest any portion of the Fund in securities of the Central Government or in such other securities, including fixed deposits in banks, as it thinks fit, and may dispose of such investment or vary them for others of a like nature.

**U. P. Sugar  
and Power  
Alcohol  
Labour  
Housing  
Board**

**10.** (1) The State Government shall, by <sup>1</sup>notification in the official *Gazette*, constitute a U. P. Sugar and Power Alcohol Labour Housing Board to prepare and to carry out, subject to the previous approval of the State Government, schemes financed from the Housing Account of the Fund for the provision of suitable housing accommodation for labour employed in the sugar and power alcohol industries and carry out the other functions of the Housing Board under this Act.

(2) The Commissioner shall be the Chairman of the Housing Board, and the other members thereof shall be appointed by the State Government, and shall be in such number and chosen in such manner as may be prescribed.

---

**1.** For Constitution of U. P. Sugar and Power Alcohol Housing Board, see Not. no. 2307 (LL)/XVIII—235(LL)-51, dated Oct. 1, 1951.

(3) The Housing Board shall be a body corporate by the name of the U. P. (Sugar and Power Alcohol) Labour Housing Board, having perpetual succession and a common seal, with power to acquire property, both movable and immovable, and shall, by the said name sue, and be sued.

(4) No act done by the Housing Board shall be called in question on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Housing Board.

**Condition for  
occupation of  
housing  
accommoda-  
tion**

**11.** (1) The occupation by any person of any housing accommodation provided out of the Housing Account of the Fund shall be subject to compliance by that person at all times with such conditions relating to his occupation of such accommodation as may be prescribed.

(2) Before any person occupies any such accommodation he shall be furnished with a copy of the conditions referred to in sub-section (1) and if he so desires the said conditions shall be explained to him in a language which he understands; and the Housing Board shall cause to be published, in such manner as it thinks best adapted for informing the persons concerned, any changes which may from time to time be made in the said conditions.

(3) If, in the opinion of the Housing Board, any person in occupation of any such accommodation fails or ceases to comply with any of the conditions referred to in sub-section (1), it may, by notice in writing require him to vacate the accommodation on or before such date, not being less than thirty days after the service of the notice as may be specified in the notice ; and the occupation of such accommodation by such person or any dependent of his after the date so specified shall be unlawful ; and such person or dependent may be evicted from such accommodation in addition to any other mode by an application made in that behalf by the Housing Board to the District Magistrate or any other Magistrate authorized in that behalf by the District Magistrate, and then the District Magistrate or the Magistrate so authorised, may thereupon evict the person or the dependent from the accommodation ;

Provided that an employee in occupation of an accommodation shall not be evicted therefrom on his dismissal or removal notwithstanding anything in that behalf contained in the condition prescribed under sub-section (1), until seven days next after the expiry of the period of limitation fixed for referring of the industrial expiry of the period of limitation fixed for referring of the industrial dispute arising from such dismissal or removal for settlement in accordance with the law relating to settlement of industrial disputes, and where the dispute has been so referred, until it has been finally disposed of.

(4) The Magistrate may, in evicting such person or his dependent under sub-section (3), use or cause to be used such force as may be necessary in getting the accommodation vacated.

(5) There shall be payable in respect of the occupation of any such accommodation as aforesaid rent at such rate as may be prescribed ;

Provided that the Housing Board may remit, subject to compliance at all times with the conditions referred to in sub-section (1), either the whole or any part of the prescribed rent ;

Provided further that where, in case of any person who is by virtue of a remission under the first proviso paying either no rent or a reduced rent, the Housing Board has reason to believe that such person has contravened any of the said conditions it may by notice in writing require such person to pay, with effect on and after the expiry of seven days from the service of the notice, rent for the accommodation occupied by him at the full prescribed rate.

(6) All rent payable in respect of the occupation of such accommodation as aforesaid, whether at the full prescribed rate or at a lesser rate, shall be recoverable as an arrear of land revenue.

**Advisory  
Committee**

**12.** (1) The State Government may, by <sup>1</sup>notification in the official *Gazette*, constitute an Advisory Committee, to advise on matters on which the State Government or the Housing Board is required by this Act to consult the Committee and on any other matters arising out of the administration of this Act which the State Government may refer to it for advice.

(2) The members of the Advisory Committee shall be appointed by the State Government and shall be of such number and chosen in such manner as may be prescribed ;

Provided that the Advisory Committee shall include an equal number of members representing Government, the owner of sugar and power alcohol factories and workmen employed in them.

(3) The Chairman of the Advisory Committee shall be appointed by the State Government.

**Appointment  
and power of  
officer**

**13.** (1) The State Government may appoint a Labour Welfare <sup>2</sup>Commissioner and such number of Inspectors, Welfare Officers and other staff as it thinks fit to supervise and carry out measures financed from the Fund.

**Act XLV of  
1860**

(2) Any person so appointed shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

(3) The Commissioner or any Inspector or Welfare Officer may, with such assistance, if any, as he thinks fit, enter at all reasonable times any place which he considers it necessary to enter for the purpose of supervising or carrying out the measures financed from the Fund and may do therein anything necessary for the proper discharge of his duties.

---

1. For Constitution of Advisory Committee see not. no. 2308 (LL)/XVIII—235(LL)-51, dated Oct. 1, 1951.

2. For appointment of Labour Welfare Commissioner see not. no. 2306 (LL)/XVIII—235(LL)-51, dated Oct. 1, 1951.

**Power to  
make rules**

**14.** (1) The State Government may by notification in the official Gazette, and subject to the condition of previous publication make <sup>1</sup>rules to carry into effect the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, rules made under this section may provide for—

(i) the composition of the Housing Board, the manner in which its members shall be chosen, the term of office of its members, the allowances, if any, payable to them and the manner in which the Housing Board shall conduct its business, including the number of members necessary to form a quorum at a meeting thereof ;

(ii) the books of account to be maintained by the Housing Board, and the form of its financial estimates and statements of account ;

(iii) the composition of the Advisory Committee, the manner in which its members shall be chosen, the term of office of its members, the allowance, if any, payable to them and the manner in which the Advisory Committee shall conduct its business ;

(iv) the apportionment between the House Account, the General Welfare Account and the Development Account of the Fund, of the expenditure on the administration of the Fund and on the salaries and allowances of the Commissioner, Inspectors, Welfare Officers and other staff employed for the purposes of this Act ;

(v) the standard of dispensary service to be provided by owner of sugar and power alcohol industries for the purposes of sub-section (2) of section 4, and the inspection and supervision of the dispensaries and other places at which such services are provided ;

(vi) the application by owners of sugar and power alcohol factories for grants-in-aids, the authority to whom, and the manner in which such applications shall be made and the particulars to be specified in such application ;

(vii) the conditions governing the grant of money from the General Welfare Account of the Fund to a local authority, Housing Society or the owner, agent or manager of a sugar or power alcohol factory ;

(viii) the rate of the rent for housing accommodation provided out of the Housing Account of the Fund ;

(ix) the condition of service and the duties of Inspectors, Welfare Officers and other officers appointed to supervise or carry out measures financed from the Fund ;

(x) the duties and functions of the Commissioner ;

(xi) the furnishing by owners, agents or managers of sugar and power alcohol factories of statistical or other information, and the punishment by fine not exceeding two hundred rupees on failure to comply with the requirements of any rules made under this clause ;

(xii) the matters which are to be and may be prescribed.

---

1. For rules see not. no. 2306 (LL)/XVIII—235(LL)-51, dated Oct. 1, 1951 in Gaz. Ext. d. Oct. 1, 1951.



