HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

PUBLIC INTEREST LITIGATION (PIL) No. - 7066 of 2006

V.M. Singh Convenor Of Kisan Mazdoor Sangathan .....Petitioner(s)

Versus

State Of U.P. Thru Secy. Sugarcane Dev. And Anr. .....Respondent(s)

Counsel for Petitioner(s)	:	In Person, Amit Kumar Singh Bhadauri
Counsel for Respondent(s)	:	C.Sc.., Abhinav Trivedi, Anupras Singh

Court No. - 1

HON'BLE RAJAN ROY, J.
HON'BLE MANJIVE SHUKLA, J.

1. Heard Sri V.N. Singh, the petitioner-in-person and Sri U.N. Mishra, learned Senior Advocate assisted by Sri Neel Kamal Mishra and Sri Rajesh Tewari, learned counsel for the respondent no. 2 and learned Additional Chief Standing Counsel for respondent no. 1 and Sri J.N. Mathur, learned Senior Advocate assisted by Sri Anupras Singh, learned counsel for the U.P. Sugar Mill Associations.

2. We asked a pointed question to the Cane Commissioner, Uttar Pradesh, as to whether, even after our judgment dated 23.12.2021 passed in a bunch of writ petitions, the leading writ petition being Misc. Bench No. 11355 (M/B) of 2021, ***Shailendra Kumar and others vs. State of U.P. and others***, the Cane Commissioner has issued certificates for recovery, charging interest on the delayed payment of cane dues at the rate of 12% instead of 15%, she very fairly submitted that it is so and that she has ordered for correction of the certificates recently on 30.07.2026.

3. Let the Cane Commissioner give the names of all the Cane Commissioners, who held the Office after 02.12.2021 and who may have issued orders for issuance of the recovery certificates referable to Section 17(3) of the U.P. Sugarcane (Regulation of Supply and Purchase) Act, 1953, as, apparently, such conduct is in contempt of the judgment dated 23.12.2021. Whether it is in connivance or whether such conduct is to help the sugar mills financially, to the financial detriment of the cane

growers, is an aspect which will also be considered.

4. A copy of the compliance affidavit served by the Cane Commissioner shall be provided to Sri Anupras Singh, learned counsel for the U.P. Sugar Mill Associations. The affidavit filed by the respondent no. 2 may be uploaded on the e-portal.

5. The Cane Commissioner informs us that the data pertaining to delayed payment of cane dues, etc., from the year 2023–24 till date has been digitalized and will continue to be digitalized, so that the plea that the data available with the cane cooperative societies is not available to the Cane Commissioner would no longer be available and the dues can be recovered accordingly. The Cane Commissioner assures us that the arrears would be recovered with interest at the rate of 15%, for which a direction has already been issued on 30.07.2026 for correcting the recovery certificates and the Court would be apprised of the recoveries made in this regard, as also the difference in the amount payable to the cane growers.

6. All these issues will be considered on the next date.

7. The petitioner-in-person as also the Sugar Mill Association may file their response to the compliance affidavit served by the Cane Commissioner today.

8. A fresh affidavit shall be filed by the Cane Commissioner mentioning the cane dues for the last three years which were payable to the cane growers within 14 days, as referred to in Section 17(3), and, out of those dues, how much was paid within the said period, as also the amount which could not be paid, on which interest was payable.

9. The petitioner appearing in-person informs that two supplementary counter affidavits have been filed, wherein details in this regard have been given for the period of 10 years, i.e., from the year 2016 to 2025–26. The Cane Commissioner may look into this aspect.

10. List on 31.08.2026.

11. The Cane Commissioner shall join these proceedings through video

conferencing on the next date.

12. The affidavit of the Cane Commissioner shall also disclose, unless already disclosed, the details of the recovery certificates which remain to be satisfied and the amount thereof.

(Manjive Shukla,J.) (Rajan Roy,J.)

August 3, 2026

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