

The Orissa Imported Edible Oil (Prohibition of Unauthorised Sale) Order, 1989

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India

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Rule

THE-ORISSA-IMPORTED-EDIBLE-OIL-PROHIBITION-OF-UNAUTHORISED of 1989

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The Orissa Imported Edible Oil (Prohibition of Unauthorised Sale) Order, 1989Published vide Notification Orissa Gazette Extraordinary No. 1270/31-8-1989-Notification No. 24083-PL-IC-34/89/19-8-1989NO.24083-PL-IC./34/89. - In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Order of Government of India in the Ministry of Agriculture and Irrigation (Department of Food) No. G.S.R. 800, dated the 9th June, 1978, the Governor is pleased to make the following order, namely :

1. Short title, extent and commencement.

(1)This Order may be called the Orissa Imported Edible Oil (Prohibition of Unauthorised Sale) Order, 1989.(2)It shall extend to the whole of the State of Orissa.(3)It shall come into force on the date of its publication in the Orissa Gazette.

2. Definitions.

- In this Order, unless the context otherwise requires-(a)"agent" means a person transporting or handling any quantity of imported edible oil belonging to an authorised dealer, or a person transporting, handling or storing such oil belonging to a corporation in terms of an agreement with, or on the strength of a written authority of such authorised dealer or corporation;(b)"authorised dealer" means a dealer appointed by the State Government of Orissa or by a duly authorised officer thereof to run a fair price shop or a ration shop at which imported edible oils are or may be sold, and includes a wholesaler or distributor similarly appointed to obtain supply of such oils for delivery to

such a dealer and a registered co-operative society which sells imported edible oils in sealed containers;(c)"Corporation" means a corporation or a company owned or managed or controlled by the Central Government or the State Government which is engaged by the Central Government in or by the State Government in the distribution of imported edible oils;(d)"imported edible oils" means palmolein oil, rape-seed oil or any other edible oils imported from outside India by the Central Government or the State Trading Corporation of India Limited and such other edible oils whether refined or not so imported as may be notified by the State Government in the Official Gazette; whether refined or not ;Explanation. - Imported edible oils such as palmolein or rape-seed oil or any other edible oil when not refined shall have the same specifications as laid down in 'A 17' of the Appendix B to the Prevention of Food Adulteration Rules, 1955 and when refined also have the specifications laid down in A 17-15 of the said Appendix;(e)"State Government" means the State Government of Orissa.

3. Prohibition of unauthorised acquisition or sale of imported edible oils.

(1)No person shall acquire any quantity of imported edible oils except under authorisation of the Central Government, the State Government, any Corporation or from any authorised dealer.(2)No person other than an authorised dealer shall sell or possess or store for sale any quantity of imported edible oil except under and in accordance with a written authority issued by a duly authorised officer of the State Government.(3)No authorised dealer shall sell imported edible oils except in refined form or otherwise than in accordance with such directions as may be issued by the State Government or any officer of the State Government authorised in this regard.(4)No agent shall store, dispose of or attempt to dispose of any quantity of imported edible oils except under and in accordance with the direction of its principal.

4. Order not to apply to certain cases.

- Nothing in this order shall apply to-(i)the Central Government or a State Government; or(ii)a bona fide consumer obtaining supplies of imported edible oils from an authorised dealer; or(iii)a Corporation ; or(iv)a refiner in so far as it refines imported edible oils in terms of a contract with the Central Government or a State Government or a Corporation; or(v)a manufacturer of vanaspati in so far as it uses imported edible oils allotted in its favour by the Central Government or a Corporation for manufacturer of vanaspati.

5. Power of entry, search, seizure, etc.

(1)Any officer authorised in this behalf by the Government of Orissa may, with a view to securing compliance with the provisions of this order, enter, inspect and search any premises, places, vehicles or vessels and seize any stock of imported edible oils alongwith the packages, covering or receptacles in which such stock is found and the animals, vehicles, vessels or other conveyances used in carrying such stocks if he has reasons to believe that any provision of his order has been, is being or is about to be contravened, in respect of such stock or any part thereof.(2)The provisions of Section 180 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, as far as may be, apply to searches and seizures under this clause.

6. Power to exempt in special cases.

- If the State Government, having regard to the conditions prevailing in any area, considers it necessary or expedient so to do in the public interest, it may, by notification in the Official Gazette, exempt, for such period and subject to such conditions as it may think fit, any class or classes of persons in that area as it may specify in the notification from the operation of all or any of the provisions of this Order.