

Tripura Foodgrains (Distribution) Control Order, 1972

TRIPURA

India

Tripura Foodgrains (Distribution) Control Order, 1972

Rule

TRIPURA-FOODGRAINS-DISTRIBUTION-CONTROL-ORDER-1972 of 1972

- Published on 20 June 1972
- Commenced on 20 June 1972
- [This is the version of this document from 20 June 1972.]
- [Note: The original publication document is not available and this content could not be verified.]

Tripura Foodgrains (Distribution) Control Order, 1972Last Updated 18th February, 2020Whereas the State Government is of opinion that it is necessary so to do for maintaining supplies of foodgrains and for securing their equitable distribution and availability at fair price within the State of Tripura ;Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with G.S.R. 316 (E), dated the 20th June, 1972 issued by the Ministry of Agriculture (Department of Food), the Governor hereby makes the following Order, namely :

1. Short title, extent and commencement.

(1)This Order may be called the Tripura Foodgrains (Distribution) Control Order, 1972.(2)It shall apply to the whole of Tripura.(3)It shall come into force at once.

2. Definitions.

- In this Order-(a)"appointed retailer" means a retail dealer appointed or deemed to be appointed under the provisions of paragraph 3 in respect of any foodgrains.(b)"Director" means the Director of Food and Civil Supplies, Government of Tripura and includes any other Officer authorised by the State Government to perform all or any functions of the Director.(c)"Family Card" means a card or document issued to the head of a family under or in pursuance of the provisions of this Order.(d)"Foodgrains" means paddy, rice and wheat and includes atta, flour and suji.(e)"Scheme" means the scheme for distribution of foodgrains to consumers through fair shops set-up by the Government in this behalf.(f)"family" for the purpose of this Order shall include the following persons besides the applicant for the family card, namely :(i)wife, in case of male applicant;(ii)husband, in case of female applicant ;(iii)children including step children and adopted

children above the age of one year ;(iv)other relatives dependent on the applicant and entertained in the family in common messing but shall exclude guests including paying guests, servants and maid servants.Explanation. - For paying guests, servants and maid servants, as the case may be, separate cards under the care and address of the head of the family to which such class of persons belong may be issued on application by persons themselves, after due enquiry.

3. Appointment of retail dealer.

(1)With a view to distributing foodstuffs under the scheme, the Director may, by order, appoint in respect of any area, any person as a retail dealer in respect of any foodgrains for the purposes of this Order and thereupon such retail dealer shall be entitled to supply in accordance with the provisions of this Order such foodgrains within such area :Provided that retail dealers appointed as such under orders of appointment issued before the commencement of this Order and in force immediately before the commencement of this Order shall be deemed to have been appointed under the provisions of this paragraph.(2)The Director may, after giving an appointed retailer an opportunity of stating his case and for reasons to be recorded in writing, amend, vary, suspend or revoke his appointment whenever, in the opinion of the Director, it is in the interest of the general public necessary or expedient so to do, and in every such case the appointed retailer shall be bound to surrender, on demand, to the order of appointment for endorsement or cancellation, as the case may be.

4. Restriction on supply.

- No appointed retailer shall supply or offer or attempt to supply or permit to be supplied by any agent or servant of such appointed retailer any foodgrains in respect of which he holds his appointment except under and in accordance with the provisions of this Order.

5. Issue of cards.

(1)On receipt of an application from the head of a family, if the Director is satisfied that the said head of the family belongs to the class of consumers who would require regular supply of foodgrains under the scheme, he may, after making such enquiry as he thinks fit, issue a family card to such head of a family.(2)The Director may, after giving the holder of any such family card, an opportunity stating his case and for reasons to be recorded in writing, add to, amend, vary or rescind the family card, whenever in the opinion of the Director, it is in the interest of the general public necessary or expedient so to do, and in every such case, the holder of the family card shall be bound to surrender the family card on demand, to the Director for endorsement or cancellation, as the case may be.

6. Use of family card.

(1)A family card shall not be available for lawful use except when it is used by or on behalf of the person in respect of whom it is issued.(2)No person shall transfer to any other person any family card issued to him under the provisions of this Order.

7. Entitlement of card.

- Ever family card under this Order shall be the property of the Government but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order shall be entitled to its custody and shall be responsible for its safe custody.

8. Issue of new card.

(1) If any family card be defaced, lost or destroyed, an officer authorised by the Director or in respect of any area in this behalf may, after making such enquiry as he may think fit, issue a new family card in place thereof on realisation of a fee of fifty paise per card. (2) When a new family card is issued under sub-Clause (1) in place of a lost family card it shall be the duty of the person to whom new family card has been issued, if he subsequently finds the lost family card, to return the lost family card forthwith to the officer by whom it was issued.

9. Possession of unauthorised card.

- When a person is in possession of a family card and such possession is not authorised by or under this Order, he shall forthwith deliver such family card to the nearest sub-Divisional Officer.

10. Registration of card by the holder.

- The holder of a family card shall get the same registered with an appointed retailer in the manner prescribed by the Director for the purpose of obtaining supplies of foodgrains for his family.

11. Supply of foodgrains.

(1) An appointed retailer shall obtain his supply of foodgrains on indent placed by him with the Director. (2) The quantity of foodgrains to be allotted to each appointed retailer against each indent shall be determined by the Director from time to time.

12. Deposit of price of foodgrains.

- An appointed retailer shall deposit in such manner as may be prescribed in this behalf by the Director, the prices of any foodgrains allotted to him.

13. Taking delivery of foodgrains.

- Appointed retailer shall take delivery of foodgrains from Government godowns particularly mentioned in and against delivery permits issued to him in this behalf.

14. Stock Register.

- An appointed retailer, immediately on receipt of the foodgrains lifted by him from the Government godowns shall enter the same in appropriate stock registers to be maintained by him in this behalf.

15. Sale of foodgrains to consumers.

- Every appointed retailer shall sell foodgrains to consumers in such quantities and at such rate or rates as may be specified in the orders made from time to time by the Government.

16. Appointed retailer to supply foodgrains against cards.

- On demand and offer of price by or on behalf of holders of family card an appointed retailer shall not refuse to supply foodgrains of appropriate quantities against such cards until the stock with him is completely exhausted.

17. Production of card.

- When a family card has been issued to the head of a family under sub-paragraph (1) of paragraph 5, no member of such family shall be entitled to a supply of foodgrains under the scheme otherwise than on production of the family card to the appointed retailer with whom such card has been registered.

18. Appointed retailer to issue cash memo.

- Every appointed retailer shall issue cash memos for sale noting in each such memo, the name and address of the customer, together with such particulars of family card as are specified by or under the order of the Director.

19. Daily Sale Register.

- Every appointed retailer shall also maintain a Daily Sale Register which shall be made up-to-date at the end of each day.

20. Hours of sale.

- An appointed retailer shall sell foodgrains during shop hours only.

21. Direction by Director.

- Every appointed retailer shall comply with such other directions as may be issued from time to time by the Director.

22. Surrender of documents by appointed retailer.

- Every appointed retailer, when so required by an officer authorised by the Director in this behalf, shall-(a)surrender to such officer all authorities and documents delivered to such appointed retailers under or for the purpose of this Order ; and(b)furnish such particulars, accounts and information relating to his dealings in and stocks of any foodgrains as may be required.

23. Inspection.

(1)Any person authorised by the Director in this behalf may-(a)enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of any foodgrains and inspect any such premises and any foodgrains therein or thereon ;(b)require any person to make any statement or furnish any information or to produce any document or article in his possession or under his control relating to the purchase, sale, distribution or storage of any foodgrains and every person so required shall comply with such requisition;(c)require any person to render any account or to produce books, accounts or other documents relating to, or believed to be relating to, the purchase, sale, distribution or storage of any foodgrain and every person so required shall comply with such requisition ;(d)take or cause to be taken extract from or copies of any document relating to the purchase, sale, distribution or storage of any foodgrains which is produced under Clause (b), or Clause (c) or otherwise found in any such premises ;(e)test or cause to be tested the correctness of any weights or measures used or believed to be used in any transaction relating to the sale or distribution of any foodgrains ;(f)take or cause to be taken the weight of all or any of the foodgrains found in any such premises :Provided that in entering upon and inspecting any premises the person so authorised shall have due regard to the social and religious customs of the person occupying the premises.(2)The powers exercisable under this clause shall not be exercised except for the purpose of securing compliance with the provisions of this Order.

24. The provisions of the Order to override other provisions.

- Theprovisions hereinbefore contained in this Order, relating to the appointment of appointed retailers and the distribution of foodgrains through them and other obligations imposed on them shall have effect notwithstanding anything inconsistent therewith contained in any prior agreement or instrument appointing the retailers for the same purpose.

25. Rescission and saving.

- The Tripura Foodgrains (Distribution) Control Order, 1958 is hereby rescinded :Provided that the rescission shall not affect the previous operation of the said Order or any order made thereunder by the State Government or any officer or authority subordinate to it.