

Chhattisgarh Rice Custom Milling Order, 2016

CHHATTISGARH

India

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Rule CHHATTISGARH-RICE-CUSTOM-MILLING-ORDER-2016 of 2016

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Chhattisgarh Rice Custom Milling Order, 2016Published vide Notification No. F 4-6/Food/2016/29-1, dated 9.11.2016Last Updated 20th September, 2019Notification No. F 4-6/Food/2016/29-1. - Whereas, the Governor of Chhattisgarh is of the opinion that it is necessary and expedient for the purpose of procuring adequate quantities of the rice for Public Distribution System in the State from the farmers under decentralized procurement scheme through timely custom milling of procured paddy at minimum support price and for the purpose of supplying rice for meeting requirement of other deficit States in the country :Now therefore, in exercise of the powers conferred by Section 3 and 5 of the Essential Commodities Act, 1955 (No. 10 of 1955) read withGovernment of India's Order No. G.S.R. 800, dated 9th June 1978, with prior concurrence of the Central Government and in supersession of the Chhattisgarh Rice Procurement (Levy) Order, 2007, the State Government, hereby, makes the following Order, namely :-

1. Short, title, extent and commencement.

(1)This order shall be called the Chhattisgarh Rice Custom Milling Order, 2016.(2)It shall extend to the whole State of Chhattisgarh.(3)It shall come into force from the date of its publication in the Official Gazette.

2. Definitions.

- In this order, unless the context otherwise requires,-(a)"Act" means the Essential Commodities Act, 1955 (No. 10 of 1955);(b)"Collector" means the Collector of the district and includes any other officer authorized by the State Government to perform all or any of the functions of the Collector under this Order;(c)"Custom Milling" means conversion of paddy procured under Price Support Scheme of the Central or State Government or any of its agency into rice by millers as per norms fixed by the Government of India for each kharif Marketing Season;(d)"Custom Milling Charges" means the charges specified by the Government of India, from time to time, for milling of Paddy

procured under Price Support Scheme;(e)"Director" means Director of Food, Civil supplies and Consumer Protection, Chhattisgarh;(f)"Economic Cost of Rice" means the price of rice fixed by the Government of India for the rice delivered to the agencies after custom milling of paddy;(g)"Enforcement Officer" means an officer of the Food, Civil Supplies and Consumer Protection Department of the State Government not below the rank of the Food Inspector or a Police Officer not below the rank of the Sub-Inspector or an officer from Department of Revenue not below the rank of Naib Tehsildar;(h)"Food Corporation" means the Food Corporation of India established under Section 3 of the Food Corporations Act, 1964 (No. 37 of 1964);(i)"MSP for paddy" means the Minimum Support Price fixed by the Government of India for any Kharif Marketing Season;(j)"Miller" means the owner or any person in charge of a rice mill;(k)"Procurement" means rice deposition by procurement agency after custom milling of procured paddy on Minimum Support Price;(l)"Purchase Officer" means any authority or person appointed by the Food Corporation of India or the State Government for procuring paddy from farmers and rice from millers;(m)"Rice" means any variety of rice produced or manufactured by de-husking paddy in a mill worked by power and includes rice equivalent of paddy held in stock;(n)"Rice Mill" means the plant and machineries; with which, and the premises including precincts or in any part of its thereof, rice milling operation is carried on;(o)"Schedule" means the Schedule appended to this Order;(p)"Specifications" means the specifications prescribed for paddy under Price Support Scheme and resultant rice from custom milling of paddy so procured by the Government of India in a Kharif Marketing Season;(q)"State Agency" means the Chhattisgarh State Cooperative Marketing Federation Limited for paddy procurement and the Chhattisgarh State Civil Supplies Corporation for rice procurement;(r)"State Government" means the Government of Chhattisgarh;(s)"State" means the State of Chhattisgarh.

3. Restriction on milling.

(1)The State Government or any of its agencies may enter into an agreement with any miller for custom milling.(2)The Director, the Collector, or both, may, at any time, on such terms and conditions, as may be fixed by the State Government by issuing; an order from time to time in this regard, direct any miller for custom milling of stock held by the State Government or any of its agencies or Government of India or any of its agencies under Price Support Scheme:Provided that the Director, the Collector or both shall not direct any miller to use more than half of his annual milling capacity for the purpose of custom milling.(3)On being directed by the Director, the Collector or both under sub-clause (2) it shall be binding on the miller to complete the milling before milling any other paddy.

4. Registration of rice mill and custom milling of paddy by miller.

(1)Every rice miller shall submit the application in the District Food Office for registration of mill in each Kharif Marketing Season. The Rice Mill shall be registered in the District Food Office after physical verification by an officer appointed by the Collector.(2)Every rice miller shall submit the application in District Food Office for custom milling. Collector may give permission to the mill for custom milling of paddy and thereafter an agreement shall be executed between the Chhattisgarh State Cooperative Marketing Federation Limited and miller.(3)The Miller shall undertake custom

milling of paddy according to custom milling policy formulated by the State Government for Kharif Marketing Season.(4)The Rice Miller shall be paid the milling charges as fixed by the Government of India for the milled paddy alongwith the incentive, if any, fixed by the State Government for custom milling.(5)The Miller should maintain the mill in working condition, consistent with installed capacity, till completion of custom milling agreement and it shall be the responsibility of the miller to undertake maintenance of the mill to keep it in working condition.(6)The Miller can bring paddy from other State during Custom milling period only after getting permission from the Director Food.

5. Procedure of deposition of custom milled rice.

(1)The Miller shall deposit custom milled rice with the Food Corporation of India or the Chhattisgarh State Civil Supplies Corporation Limited according to the specification and out turn ratio fixed by the Government of India for the Kharif Marketing Season.(2)If any dispute arises regarding the quality of custom milled rice being deposited or confirming specifications fixed by the Government of India then the Purchase Officer shall take three representative samples of rice and seal them as far as possible in the presence of miller or his representative. The Purchase Officer shall, give one sample to the miller or his representative and send two samples for analysis to the laboratory of the Food Corporation of India or the Chhattisgarh State Civil Supplies Corporation Limited and result of the analysis shall be binding on both the parties. If the sample is beyond the rejection limit (BRL) in laboratory then miller shall after changing the lot at his or her own expenses deposit with the Food Corporation of India or the Chhattisgarh State Civil Supplies Corporation Limited.

6. Maintenance of records, quarterly return by miller.

(1)Every miller shall maintain records of paddy and rice as prescribed in the Schedule-I (A) and the Schedule-I (B) respectively.(2)Every miller shall make necessary entries of the custom milling and the stock information in miller module of Food Department.(3)Every miller shall submit a monthly return to the Collector as per the Schedule-II, giving information of paddy purchased in any other manner, stocks of paddy and rice available with the miller and paddy milled by the miller.

7. Exemption.

(1)The State Government may, by a general or special order, exempt any person or class of persons from any or all provisions of this order, and may at any time revoke or cancel such exemption.(2)The State Government may, by a general or special order, exempt any variety of paddy from any or all provisions of this order, and may at any time revoke or cancel such exemption.

8. Powers of entry, search and seizure, etc.

(1)Enforcement Officer may, with a view to ensure compliance with the provisions of this Order or for satisfying himself that this Order has been complied with,-(a)enter, with such assistance as may be necessary, in any rice mill or other premises where he has reason to believe that rice is produced

or stocked;(b)ask any person all necessary questions;(c)examine any documents and records;(d)call for the submission of such returns relating to the stocks of paddy and rice held by miller as may be necessary for assessment of custom milling under this order;(e)search, and so far as may be necessary for the purpose of search, detain any person and seize rice, paddy and vehicle found in the possession of such person with respect to which he has reason to believe that contravention of any of the provisions of this Order has been, is being or is about to be committed and thereafter take or authorize the taking of all measures necessary, for the production of stock and vehicle so seized in the court or before the Collector and for their safe custody, pending such production.

9. Penalty.

- If a person contravenes any provision of this Order or any instruction issued under this Order or any agreement made under this Order, he shall be liable for punishment under Section 7 of the Act and for penalty as mentioned in agreement and rice mill may be blacklisted.

10. Confiscation of Rice or Paddy.

- Without prejudice to anything contained in clause 9 of this Order, in the event of any contravention of the provisions of this Order the Collector may confiscate entire stock of paddy, rice and vehicle seized under clause 8 from a miller or any other person.

11. Appeal.

(1)Any person aggrieved by any action of the Enforcement Officer under this order may appeal to the Collector within 30 days from the date of receipt of such Order or action.(2)Any person aggrieved by an order of the Collector may appeal to the District Judge within 30 days of the date of receipt of such order.

12. Duty to comply with orders and directions.

- Every miller or any other person shall comply with all orders and directions issued by the Competent Authority under powers conferred by this Order.

13. Repeal and Savings.

- The Chhattisgarh Rice Procurement (Levy) Order 2007 is hereby repealed :Provided that any order made or action taken under the order so repealed shall be deemed to have been made or taken under the corresponding provisions of this order.

I(A)

Stock register of Paddy to be maintained by miller under clause 6 of the Chhattisgarh Rice Custom Milling Order, 2016

No.	Date	Opening stock of paddy	Quantity of milled paddy					
Government Paddy	Own/ Purchased Paddy	Total	Quantity purchased from mandi	Mandi receipt number	Quantity purchased from traders	Name and address of traders		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Quantity of milled paddy	Balance stock of paddy	Signature of authorised person	Signature of inspecting officer	Remarks				
Government Paddy	Own/Purchased Paddy	Total	Government Paddy	Own/Purchased Paddy	Total			
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

1(B)

Stock register of Rice to be maintained by miller under clause 6 of the Chhattisgarh Rice Custom Milling Order, 2016

No.	Date	Opening stock of rice	Quantity of Rice received during month					
Custom Milled Rice	Own/Purchased Rice	Total	Custom Milled Rice	Own/Purchased Rice	Total	Name and address of traders from whom rice ispurchased		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Quantity of rice delivered/Sale	Stock of balance rice	Signature of authorised person	Signature of inspecting officer	Remarks				
Quantity of Custom Milled Rice delivered to Government	Quantity of Free sale	Total	Custom Milled Rice	Own/Purchased Rice	Total			
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

II

Monthly Statement to be submitted by miller under clause 6(3) of the Chhattisgarh Rice Custom Milling Order, 2016 To, Collector District..... Monthly statement of Custom milling of paddy and procurement of rice for the month of..... of firm under clause 6 (3) of Chhattisgarh Rice Custom Milling Order, 2016 is as under

No. Description	Qty. in Quintal
1. Opening Stock in the month	
1.1 Rice	
1.2 Paddy	
1.3 Total	
2. Quantity of Paddy/Rice received during the month	
2.1 Rice	
2.2 Paddy (Government)	
2.3 Paddy (Private)	
2.4 Total	
3. Quantity of Paddy milled during the month	
3.1 Paddy (Government)	
3.2 Paddy (Private)	
3.3 Total	
4. Quantity of rice received by milling during the month	
4.1 By custom milling	
4.2 By milling of own purchased paddy	
4.3 Total	
5. Balance quantity of paddy at the end of month	
5.1 Paddy (Government)	
5.2 Paddy (Private)	
5.3 Total	
6. Rice delivered during the month	
6.1 Quantity of custom milled rice	
6.2 Quantity of free sale rice	
6.3 Total	
7. Balance quantity of rice at the end of month	
7.1 Quantity of custom milled rice	
7.2 Quantity of free sale rice	

7.3 Total

8. Number of electricity units consumed during the month (enclose copy of electricity bill of the concerned month)