

The Pulses, Edible Oilseeds And Edible Oils (Storage Control) Order, 1977

UNION OF INDIA

India

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Rule

THE-PULSES-EDIBLE-OILSEEDS-AND-EDIBLE-OILS-STORAGE-CONTROL-ORDER-1977

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The Pulses, Edible Oilseeds And Edible Oils (Storage Control) Order, 1977Published vide S.O. 780(E), dated 21.11.1977, published in Gazette of India, Extraordinary, Part II, Section 3(i), dated 21.11.1977.

22.

/984Whereas the Central Government is of opinion that it is necessary and expedient so to do for maintaining supplies and for securing equitable distribution and availability at fair prices of pulses, edible oilseeds and edible oils;Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:-

1. Short title, extent and commencement .-(1) This Order may be called The Pulses, Edible Oilseeds and Edible Oils (Storage Control) Order, 1977.

(2)It extends to the whole of India.(3)Clauses 3 and 5 of this Order shall come into force on the 1st day of December, 1977 and the remaining provisions of this Order shall come into force at once.

2. Definitions .-In this Order, unless the context otherwise requires,-

(a)["bulk consumer" means a hotel, a restaurant, a halwai, an educational institution with hostel facilities, a hospital, or a religious or charitable institution;](b)"category A City" means a city,

included as a category A City in the Schedule to this Order, having a population of 10 lakhs and more;(c)"category B City" means a city, included as a category B City in the Schedule to this Order having a population of 3 lakhs and more but less than 10 lakhs, or the capital of a State or a Union territory not included in category A City;(d)["other Areas" means any other place which is not a category A City or category B City;] [Substituted by S.O. 595(E), dated 21.12.1988 (w.e.f. 21.12.1988).](e)"commission agent" means a commission agent having in the customary course of business as such agent authority either to sell goods, or to consign goods for the purposes of sale or to buy goods;(f)"dealer" means a person engaged in the business of purchase, sale or storage for sale of any pulses, edible oilseeds or edible oils, whether or not in conjunction with any other business and includes his representative or agent;(g)["Edible Oil" means any oil used, directly or after processing, for human consumption and includes hydrogenated vegetable oil;] [Substituted by S.O. 711(E), dated 13.9.1990 (w.e.f. 13.9.1990).](h)["population" means population, as determined in the 1981 census;] [Substituted by S.O. 740(E), dated 17.10.1983.](i)"primary mandi" in relation to pulses and edible oilseeds means a mandi where the farmers initially sell their produce;(j)["producer" means a person carrying on the business of milling any of the pulses or expelling, extracting,] [Substituted by S.O. 64(E), dated 4.2.1978.][manufacturing or refining] [Substituted by S.O. 536(E), dated 20.9.1979.][any edible oil,- [Substituted by S.O. 64(E), dated 4.2.1978.](i)by buying pulses or edible oilseeds for being processed by himself and selling the finished products to a wholesaler or through a commission agent; or(ii)by doing any of the process of milling, expelling, extracting] [manufacturing or refining] [Substituted by S.O. 536(E), dated 20.9.1979.][on behalf of another;] [Substituted by S.O. 64(E), dated 4.2.1978.](k)"pulses" means urd, moong, arhar, massoor, lobia, rajmaha, gram including peas or any other dal whether whole or split with or without husk;(l)"retailer" means a dealer in pulses or in edible oilseeds or in edible oils, who is not a wholesaler;(m)"State Order" means any Order issued by any State Government or a Union territory Administration under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and for the time being in force;(n)"wholesaler" means a dealer in pulses or in edible oilseeds or in edible oils who sells such commodities to other dealers or to bulk consumers.

3. Licensing of dealers [and producers]

.-Notwithstanding anything contained in any State Order, [no person shall carry on business, as a dealer, after the expiration of a period of fifteen days from the coming into force of this clause, or, as a producer, after the expiry of a period of fifteen days from the coming into force of the Pulses, Edible Oilseeds and Edible Oils (Storage Control) Amendment Order, 1977] [Substituted by S.O. 691(E), dated 13.7.1987 (w.e.f. 13.7.1987).] in pulses or in edible oilseeds or in edible oils except under and in accordance with the terms and conditions of a license granted under a State Order if the stocks of pulses or edible oilseeds or edible oils in his possession exceeds the quantities specified below:

- | | |
|--|---|
| (i) Pulses | 10 quintals for all pulses taken together |
| (ii) Edible oils including hydrogenated vegetable oils | 5 quintals of all edible oils including hydrogenated vegetable oils taken together |
| (iii) Edible oilseeds including groundnut | 30 quintals of all edible oilseeds. |

in shell

4. Restriction on possession of pulses, edible oilseeds and edible oils .-(1)

No dealer shall after a period of fifteen days from the coming into force of this clause, either by himself or by any person on his behalf, store or have in his possession at any time any pulses, edible oilseeds or edible oils in excess of the quantities specified below:-

		Category of Cities	Stock limit in quintals in case of:	Remarks	
Wholesaler	Retailer				
(i) [Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).]	[Pulses Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).]	[Category Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).] [A cities	[2000 Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).]	[50 Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).]	[All pulses taken together] [Substituted by S.O. 98(E), dated 10.2.1993 (w.e.f. 10.2.1993).]
Category B cities	1000	40			
Other Areas	1000	40			
(ii) [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[Edible oilseeds including Groundnut in shell [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[Category Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).] [A cities	[1500 Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[100 Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	1. [All edible oilseeds taken together. [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]
[Category Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).] B cities	[1000 Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[75 Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]			
[Other areas Substituted by S.O. 718(E),	[500 Substituted by S.O. 718(E),	[50 Substituted by S.O. 718(E),			

dated 25.9.1993 (w.e.f. 25.9.1993).]
dated 25.9.1993 (w.e.f. 25.9.1993).]

2. For groundnut kernel or seeds 75% limits specified shall apply.

(iii)	Edible oils including hydrogenated vegetable oils	Category A cities	600	20
Category B cities	400	12	All edible oils including hydrogenated vegetable oils:	
Other areas	250	8		

Provided that the stock limits specified for a wholesaler in category A cities shall apply to a wholesaler in such primary mandis situated in other categories of cities as the State Government may, having regard to the location of such mandis or other relevant factors, from time to time, specify: [Provided further that where a dealer is also carrying on business as a producer or commission agent, he shall be entitled to retain the stock limits specified in this sub-clause for each such business, if such business and accounts thereof are kept separate and distinct from one another:] [Provided further that an exporter shall be entitled to hold stock of seeds/pods in the following proportion in addition to the normal storage limits prescribed under clause 4(1) of the Order-(Quantity in (M.Ts))

Sl.No.	Particulars	For every export contract of	Stock exemption for raw material requirement (Seeds/pods)
1.	Sunflower extraction	1000	1670
2.	Groundnut extraction	1000	1790
3.	Soya extraction	1000	1210
4.	H.P.S. Ground nut Kernels	1000	2500
5.	Sesame seed	1000	1250
6.	4[Mustard/rapeseed and extraction [Inserted by S.O. 612(E), dated 10.8.1992 (w.e.f. 10.8.1992).]	[1000 [Inserted by S.O. 612(E), dated 10.8.1992 (w.e.f. 10.8.1992).]	[1695] [Inserted by S.O. 612(E), dated 10.8.1992 (w.e.f. 10.8.1992).]

[The above exemption will be subject to the production of the following documents:-(i) Copy of the export order or contract from the export buyer.] [* * *] [Omitted by S.O. 612(E), dated 10.8.1992

(w.e.f. 10.8.1992).](iii)Copy of the irrevocable letter of credit opened on a Bank certified by the Banker:][Provided that no wholesale dealer shall hold any stock of edible oilseeds including groundnut in shell and edible oils including hydrogenated vegetable oil for a period exceeding fifteen days from the date of physical receipt by him of such stock of edible] [Substituted by S.O. 64(E), dated 4.2.1978.][pulses] [Inserted by S.O. 298(E), dated 27.4.1992 (w.e.f. 27.4.1992).][oilseeds and edible oils:Provided further that only one sale/purchase transaction, if accompanied by physical delivery of stocks, shall be permitted in respect of edible oils and edible oilseeds between one wholesaler and another:] [Substituted by S.O. 64(E), dated 4.2.1978.][Provided also that no producer specified in column (1) of the Table below shall store or have in his possession at any time unmilled pulse, [or edible oilseeds] [Inserted by S.O. 612(E), dated 10.8.1992 (w.e.f. 10.8.1992).] as the case may be, in excess of the quantity specified in the corresponding entry in column (2) of the said Table, and he shall not hold the [* * *] [Omitted by S.O. 612(E), dated 10.8.1992 (w.e.f. 10.8.1992).] stock in excess of the quantity specified in the corresponding entry in column (3) of the said Table:TABLE

Producer	Quantity of unmilled pulse,[or edible oilseeds] [Substituted by S.O. 536(E), dated 20.9.1979.]	[Quantity of stock of milled pulses or stock of edible oils including refined oil] [Substituted by S.O. 711(E), dated 13.9.1990 (w.e.f. 13.9.1990).]		
	(1)	(2)	(3)	
	Producer who is carrying on business on the commencement of this Order.	Producer who has commenced production after the commencement of this Order.	Producer who is carrying on business on the commencement of this Order.	Producer who has commenced production after the commencement of this Order.
1. Producer of pulses.	One-twelfth of the maximum quantity of pulses used by him in any of the three years ending on the[31st day of October, 1982] [Substituted by S.O. 710(E), dated 17.10.1983 (w.e.f. 17.10.1983).].	For a period of one year from the date of commencement of his production one-twelfth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity.1[For the second year and third year of his production, one-twelfth of the quantity of pulses that would be required for producing a quantity	One twenty-fourth of his maximum production in any of the three years ending on the7[31st day of October, 1982].	For a period of one year from the date of commencement of his production. One twenty-fourth of the quantity equal to his annual installed capacity.2[For the second year and third year of his production, one

		equal to his annual installed capacity and thereafter one-twelfth of maximum of pulses used by him in any of the three years immediately after commencement of his production.] [Added by S.O. 10(E), Dated 7.1.1982 (w.e.f. 7.1.1982).]		twenty-fourth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity and there-after one twenty-fourth of the maximum quantity of pulses used by him in any of the three years immediately after the commencement of his production.] [Substituted by S.O. 710(E), dated 17.10.1983 (w.e.f. 17.10.1983).]
3[2. Producer of edible oils. [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[One-eighth of the maximum quantity of edible oil seeds used by him in any of the three years ending on the 31st day of October, 1989 [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[For a period of one year from the date of commencement of his production, one-eighth of the quantity of edible oilseeds that would be required for producing the quantity equal to his annual installed capacity. For the second year and third year of his production, 1/8th of the quantity of edible oilseeds for that would be required quantity equal to his annual installed capacity and there-after one eighth of	[1/24th of his maximum production in any of the three years ending on the 31st day of October, 1989. [Substituted by S.O. 718(E), dated 25.9.1993 (w.e.f. 25.9.1993).]	[For a period of one year from the date of commencement of his production 1/24th of a quantity equal to his annual installed capacity. For the second year and third year of his production, 1/24th of the quantity equal to his annual installed capacity thereafter

the maximum quantity
of edible oilseeds used by
him in any of the three
years immediately after
the commencement of
his production.

[Substituted by S.O.
718(E), dated 25.9.1993
(w.e.f. 25.9.1993).]

1/24th of the
maximum of his
production in any
of the three years
immediately after
the
commencement
of his
production.]
[Substituted by
S.O. 718(E),
dated 25.9.1993
(w.e.f. 25.9.1993).
]

[Note .-For the purpose of computing the stock limit specified in column (3)(a) and (3)(b) above, the raw oils (except solvent extracted oils), oils in process or in semi-processed state and finished product shall be taken into consideration:] [Inserted by S.O. 711(E), dated 13.9.1990 (w.e.f. 13.9.1990).]Provided also that where any quantity of pulses, edible oils, or edible oilseeds is in transit, then for the purposes of this sub-clause, such quantity [shall not, during the period when such quantity is in transit, be deemed] [Substituted by S.O. 409(E), dated 26.6.1978.] to have been included in the stocks of the dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put in such transit:[Provided also that nothing in this clause shall apply to a commission agent who does not retain any consignment of pulses or edible oilseeds received by him for a period exceeding fifteen days from the date of its receipt:] [Substituted by S.O. 536(E), dated the 20.9.1979.][Provided also that the stock limits referred to above shall not apply to imported edible vegetable palmolein oil:] [Inserted by S.O. 396(E), dated 27.5.1994 (w.e.f. 27.5.1994).][Provided also that the stock limits referred to above shall not apply to imported edible oils (excluding coconut oil, palm kernel oil, RBD palm oil and RBD palm stearin):] [Inserted by S.O. 591(E), dated 29.6.1995 (w.e.f. 29.6.1995).][Provided further that the stock limits referred to above shall not apply to imported pulses.] [Inserted by S.O. 646(E), dated 20.7.1995 (w.e.f. 20.7.1995).](2)Every dealer referred to in sub-clause (1) shall, immediately on the expiry of the period specified in that sub-clause, give intimation to the Collector regarding the stocks of any pulses, edible oilseeds or edible oils left with him or any other person on his behalf in excess of the stocks prescribed in sub-clause (1) and such stocks shall not be disposed of by the dealer or other person except in accordance with the directions of the Collector.[4-A. Restriction on possession of edible oilseeds and edible oils for a temporary period.-Notwithstanding anything contained in clauses (ii) and (iii) of sub-paragraph (1) of paragraph 4 of this Order, no dealer shall in addition to such limits as are specified therein, either by himself or by any person on his behalf for the period commencing on 11th August, 1989 and ending with 10th September, 1989 store or have in his possession, Rapeseed, Rapeseed Oil, Mustard Seed and Mustard Oil in excess of the quantities specified below:-

Category of cities	Stock limit in quintals in the case of
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		Wholesaler	Retailer	
	1	2	3	4
		Category		
(i)	Mustard Seed/Rapeseed	ACategory	15001000500	1007550
		BOther areas		
		Category		
(ii)	Mustard Oil/Rapeseed Oil	ACategory	800600350	251510]
		BOther areas		

5. [Returns

.-Every licensed dealer or producer who holds in excess of the stocks limits of pulses or edible oilseeds or edible oils specified for a retailer in clause 4 shall furnish a fortnightly return to such authority and in such manner as may be specified by the State Governments in this behalf by notification in the Official Gazette in respect of such stocks of pulses, edible oilseeds and edible oils by them.]

6. State Orders to apply .-The provisions of the State Orders relating to storage of pulses, edible oilseeds or edible oils shall apply in respect of any matter for which no provision has been specifically made in this Order.

7. [Order not to apply in certain cases

.-Nothing in this Order shall apply:-(i)to a Corporation or Company owned or controlled by the Central Government or a State Government, or to a statutory Board, or(ii)to any Central level or State level co-operative society, engaged in the production, procurement, sales, purchase or distribution of pulses, edible oilseeds and edible oils:Provided that a Corporation or a Company or a statutory Board mentioned in sub-clause (i) shall furnish information relating to purchase, sale and stock of edible oilseeds/edible oils held by them to the Central Government or as the case may be, to the State Governments.][7-A. Power to exempt.-The State Government may, if it considers it necessary for avoiding any hardship or for any other just and sufficient reason, by notification in the Official Gazette, exempt any producer, dealer or commission agent from the operation of all or any of the provisions of this Order either generally or for any specified period, subject to such conditions, as may be specified in the notification:Provided that no notification under this clause shall be issued except with the previous approval of the Central Government:][Provided further that no previous approval of the Central Government shall be necessary for granting exemption to importers from the stock limits specified in sub-clause (1) of clause 4 in case of pulses imported under Open General License (O.G.L.). The notification issued by the State Government shall indicate the period for disposal of the excess stock.] [Added by S.O. 750(E), dated 11.8.1988 (w.e.f. 11.8.1988).][7-B. Power to fix lower stock limits.-The State Government may, if it considers it necessary for just and sufficient reason, by notification in the Official Gazette, fix any stock limit within the maximum limits specified in clause 4, either generally or for any specified period, subject to conditions as may be specified in the notification:Provided that no notification under this clause

shall be issued except with the previous approval of the Central Government.]

8. Repeal and savings .-The Pulses and Edible Oils (Storage Control) Order, 1977, is hereby repealed:

Provided that such repeal shall not affect-(a)the previous operation of the said Order or anything duly done or suffered thereunder; or(b)any right, privilege, obligation or liability acquired, accrued or incurred under the said Order; or(c)any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Order; or(d)any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment, may be imposed as if the said Order had not been repealed.

Schedule

[See clause 2(b) and (c)]

Category A cities (having a population of 10,00,000 and above)	Category B cities (having a population of 3,00,000 and more but less than 10,00,000 and Capital cities of States and Union territories other than Category A cities)	1. [[Substituted by S.O. 10(E), dated 7-1-1982 (w.e.f. 7-1-1982).] [Substituted by S.O. 10(E), dated 7-1-1982 (w.e.f. 7-1-1982).]	
(1)	(2)		
1.	Calcutta		Coimbatore
2.	GreaterBombay	2.	Madurai
3.	Delhi	3.	Agra
4.	Hyderabad	4.	Varanasi
5.	Madras	5.	Indore
6.	Bangalore	6.	Jabalpur
7.	Ahmedabad	7.	Allahabad
8.	Kanpur	8.	Surat

9.	Poona	9.	Vadodara
10. [[Inserted by S.O.10(E), dated 7-1-1982 (w.e.f. 7-1-1982).] [Inserted by S.O.10(E), dated 7-1-1982 (w.e.f. 7-1-1982).]	Nagpur	10.	Tiruchirappalli
11.	Lucknow	11.	Amritsar
12.	Jaipur.]	12.	Jamshedpur
13. [[Added by S.O. 1035(E), dated 13-12-1989 (w.e.f. 13-12-1989).] [Added by S.O. 1035(E), dated 13-12-1989 (w.e.f. 13-12-1989).]	Guwahati]	13.	Cochin
		14.	Dhanbad
		15.	Salem
		16.	Gwalior
		17.	Ludhiana
		18.	Sholapur
		19.	Ulhasnagar
		20.	Hubli
		21.	Dharwar Meerut
		22.	Visakhapatnam
		23.	Mysore
		24.	Vijayawada
		25.	Calicut
		26.	Bareilly
		27.	Jodhpur
		28.	Rajkot
		29.	Ranchi
		30.	Durg-Bhilai Nagar
		31.	Nasik
		32.	Jullundur
		33.	Thane
		34.	Ajmer
		35.	Guntur

36. Asansol
37. Kolhapur
38. Moradabad
39. Kota
40. Raipur
41. Warangal
42. FaridabadComplex
43. Cuttack
44. Tirtmelveli
45. Rourkela
46. Aligarh
47. Jamnagar
48. Aurangabad(Maharashtra)
49. Bhavnagar
50. Gorakhpur
51. Durgapur
52. Bangalore
53. Belgaum
54. The capital cities of States
andUnionTerritoriesother
than Category A cities.]

[Inserted by S.O. 298(E), dated 27.4.1992 (w.e.f. 27.4.1992).]