

# **The U.P. Milk and Milk Products (Export) Control Order, 1976**

UTTAR PRADESH

India

## **The U.P. Milk and Milk Products (Export) Control Order, 1976**

### **Rule**

### **THE-U-P-MILK-AND-MILK-PRODUCTS-EXPORT-CONTROL-ORDER-1976 of 1976**

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The U.P. Milk and Milk Products (Export) Control Order, 1976Published vide Notification U.P. Gazette, (Extraordinary), dated 23rd August, 1976, vide Notification No 1035/12-E-4-4(102)-76, dated August 23, 1976Whereas, the State Government is of opinion that it is necessary and expedient so to do for maintaining and increasing supplies and securing equitable distribution and availability at fair prices in the State of Uttar Pradesh of fluid milk, a commodity essential to the life of the community;Now, therefore, in exercise of the powers under Section 15 of the Uttar Pradesh Milk Act, 1976 (Act No. 7 of 1976), the Governor is pleased in the public interest to make the following Order, namely:

#### **1. Short title, extent and commencement.**

(1)This Order may be called the Uttar Pradesh Milk and Milk Products (Export) Control Order, 1976.(2)It extends to the whole State of Uttar Pradesh.(3)It shall come into force with immediate effect and shall cease at the expiry of the 31st day of March, 1971, unless withdrawn earlier, except as respects things done or omitted to be done before such assertion or operation.

#### **2. Definition.**

- In this Order, unless the context otherwise requires, "border area" means the area within an eight kilometer belt within the State of Uttar Pradesh all along its border.

### **3. Prohibition of export of Milk and Milk Products and their transport into the border area.**

- No person shall-(a)export or attempt to export or abet the export of milk or milk products of any kind from any place in Uttar Pradesh to any place outside the State except in accordance with a permit issued by the State Government or any officer authorised in this behalf by the State Government;(b)transport, attempt to transport or abet the transport of milk products of any kind from any place situated within the State of Uttar Pradesh by outside the border areas to any place situated within the border area except in accordance with a permit issued by the State Government, or any other officer authorised in this behalf by the State Government:Provided that nothing contained herein shall apply-(i)to export of liquid milk to the Union Territory of Delhi for and use in Delhi;(ii)to any dairy run by a Central Society registered under the Uttar Pradesh Co-operative Societies Act, 1965 (Act No. 11 of 1966), or a Government Dairy, run by a Corporation owned or controlled by Government; or(iii)to the export of milk products by concerns situated in the State of Uttar Pradesh and registered or licensed under the Industries (Development and Regulation) Act, 1951 (Act No. 65 of 1951); or(iv)to the export, or transport into border area, of milk not exceeding 10 kilograms, Ghee not exceeding 5 kilograms and butter not exceeding one kilograms in weight at one time by a traveller for bona fide personal consumption; or(v)to the export, or transport into border area, of 'Prasad' made from milk or milk products not exceeding 5 kilograms in weight by a bona fide traveller as part of his luggage;(vi)[ to the export of Khoya to the Union Territory of Delhi or the Metropolitan area of Calcutta up to October 31, 1976;] [Added by (First Amendment) Order, 1976, dated 12.10.1976.](vii)[ to the export of Khoya from the State of Uttar Pradesh.] [Added by (First Amendment) Order, 1977, dated 19.2.1977.]

### **4. Power of entry, search and seizure, etc.**

(1)Any Stipendiary Magistrate or any Police Officer, not below the rank of a Sub-Inspector of Police or any officer or employee under the administrative control of the Milk Commissioner, Uttar Pradesh not below the rank of a Senior Milk Inspector may with a view to securing compliance with this Order or to satisfying himself that this Order is being complied with-(a)stop and search any person or any boat, motor or other vehicle or any receptacle or machinery used or intended to be used for export or transport of milk or for manufacture of milk products;(b)enter and search any place or premises where he has reason to believe that milk is stocked or that they are being used for the manufacture, sale, service or supply of milk products;(c)seize or authorize the seizure of any milk or milk products in any place or premises together with packages, coverings, receptacles or machinery in which milk or milk products are found or with which such milk products are manufactured or the animals, vehicles, vessels, boats or other conveyances used in carrying milk or milk products and thereafter take all measures necessary for securing the production of the packages, coverings, receptacles, machinery so seized in a court and for their safe custody pending such production.(2)The provision of Section 100 of the Code of Criminal Procedure, 1973, relating to search and seizure, shall apply to searches and seizure under this clause.