

The Arunachal Pradesh Foodstuffs (Distribution) Control Order, 1980

ARUNACHAL PRADESH

India

The Arunachal Pradesh Foodstuffs (Distribution) Control Order, 1980

Rule

THE-ARUNACHAL-PRADESH-FOODSTUFFS-DISTRIBUTION-CONTROL of 1980

- Published on 1 January 1980
- Commenced on 1 January 1980
- [This is the version of this document from 1 January 1980.]
- [Note: The original publication document is not available and this content could not be verified.]

The Arunachal Pradesh Foodstuffs (Distribution) Control Order, 1980 Last Updated 8th February, 2020

1.

(1) This Order may be called the Arunachal Pradesh Foodstuffs (Distribution) Control Order, 1980. (2) It shall apply to the whole of the Arunachal Pradesh. (3) It shall come into force at once.

2.

In this Order unless the context otherwise requires—(a) "Foodstuffs" means and includes pulses, mustard oil, other edible oils, rice, atta and any other class of commodities which the Administrator, Arunachal Pradesh may by order declare to be "foodstuff" for the purpose of this Order ; (b) "A fair price shop holder" means a retail dealer appointed or deemed to be appointed under the provisions of Clause 3 in respect of any foodstuff ; (c) "Director" means the Director of Civil Supply, Government of Arunachal Pradesh and includes any other officer, not below the rank of Superintendent of Supply authorised by the Government to perform all or any of the functions of the Director ; (d) "Deputy Commissioner" includes the Chief Project Officer, Itanagar, the Additional Deputy Commissioners at Tawang, Seppa, Daporijo, Pashighat and Anini within their respective jurisdictions ; (e) "Family identity card" means a card or document issued to the head of a family under or in pursuance of the provisions of this Order ; and (f) "Person" means a person or a body of persons dealing with foodstuff ; (g) "Fie" will include "she" and "they" and "his" will include "her" and

"their";(h)"Government" means the Government of Union Territory of Arunachal Pradesh;(i)"Central Government" means the Government of India" ;(j)"Government scheme" means the scheme for distribution of foodstuff to consumers through shops set up by Government in this behalf;(k)"Order" means the Arunachal Pradesh Foodstuffs (Distribution) Control Order, 1980.

3. Power to appoint fair price shop holder.

(1)With a view to distributing foodstuffs under the Government scheme the Deputy Commissioner in his respective jurisdiction may, by order, appoint in respect of any area, any person as a fair price shop holder in respect of any foodstuff for the purposes of this Order and thereupon such fair price shop holder shall be entitled to supply in accordance with the provisions of this Order such foodstuff within such area.(2)Every appointment made under sub-Clause (1) above shall valid till the 31st day of December next following the date of appointment.(3)The fee payable by the fair price shop holder under this Order be Rs. 10.(4)The Deputy Commissioner in his respective jurisdiction may, after giving a fair price shop holder an opportunity of stating his case including an opportunity of being heard in person and for reasons to be recorded in writing, amend, vary, suspend or revoke the appointment order whenever, in the opinion of the Director or the Deputy Commissioner, it is in the interest of general public, necessary or expedient so to do, and in every such case the fair price shop holder shall be bound to surrender, on demand, to the Deputy Commissioner the order of appointment for endorsement or cancellation, as the case may be.

4. Power to direct sale.

(1)Every person holding the stock of any foodstuff shall sell his stocks to fair price shop holder as and when called upon to do so by an order in writing issued on behalf of the Government by the Deputy Commissioner having jurisdiction.(2)Every order issued under sub-Clause (1) shall specify the following particulars, namely:(a)the quantity, class and grade of foodstuff held in stock by such person;(b)the quantity, class and grade of foodstuff required to be sold by such person;(c)the period within which the foodstuff directed to be sold by such person are to be delivered ;(d)the rates at which the price of commodities requisitioned under sub-Clause (1) above should be paid, as fixed with the prior approval of the Central Government.

5. Prohibition to sale by fair price shop.

- No fair price shop holder shall supply or offer or attempt to supply or permit to be supplied by any agent or servant of such fair price shop holder, any foodstuff in respect of which he holds his appointment except under and in accordance with the provisions in this regard.

6. Security deposit agreement.

(1)The fair price shop holder shall deposit with the Deputy Commissioner security of the value of Rs. 500 in any of the forms prescribed by Government from time to time, and execute agreement for the due performance of the conditions of his appointment.(2)Without prejudice to the provisions of

Clause 3, the Deputy Commissioner may, by order, forfeit the whole or any part of the security deposited and communicate a copy of the order to the retailer.

7. Supply to fair price shop holder.

(1) A fair price shop holder shall obtain his supply of foodstuffs on indents placed by him with the officer in charge of the local supply office. (2) The quantity of foodstuffs to be allotted to each fair price shop holder against such indent shall be determined by the said officer in charge of the local supply office from time to time.

8. Deposit of price of foodstuffs.

- A fair price shop holder shall deposit in such manner as may be prescribed in this behalf by the Director or the Deputy Commissioner, the price of any foodstuff allotted to him.

9. Delivery of foodstuffs.

- A fair price shop holder shall take delivery of foodstuffs from Government godowns or wholesaler godowns or both particularly mentioned in and against delivery permits issued in this behalf.

10. Fair price shop holder to keep record of supplies received.

- A fair price shop holder, immediately on receipt of the foodstuffs lifted by him from the Government godowns and/or wholesaler's godowns, shall enter the same in appropriate stock registers to be maintained by him in this behalf.

11. Fair price shop holder to sell foodstuff to consumers in quantities and at prices fixed by the Government.

- Every fair price shop holder shall sell foodstuffs to consumers in such quantities and at such rates as may be specified in the orders made from time to time by the Government with the prior approval of the Central Government.

12. Power to issue family identity card.

(1) The Deputy Commissioner with a view to regularising supply of foodstuff to such class of consumers as would, in the opinion of the Director or Deputy Commissioner require regular supply under the Government scheme, may issue or cause to be issued to every head of a family of such class in any area a family identity card for the purposes of this Order. (2) The Deputy Commissioner may, after giving the holder of any such family identity card an opportunity of stating his case and for reasons to be recorded in writing, add to, amend, vary or rescind, the family identity card, whenever, in the opinion of the Deputy Commissioner, it is, in the interest of general public, necessary or expedient so to do, and in every such case the holder of the family identity card holder

shall be bound to surrender the family identity card, on demand, to the Deputy Commissioner for endorsement or cancellation, as the case may be.

13. Restrictions on possession of family identity card.

(1) No person shall possess or retain any family identity card without the order of the officer authorised under this Order. (2) No person shall transfer to any other person any family identity card issued to him by the officer authorised any under this Order. (3) No person shall accept retain family identity card not issued in his name by the officers authorised under this Order. (4) No person shall possess a bogus or ghost family identity card containing inflated family members.

14. Family identity card-Property of the Government.

- Every family identity 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.

15.

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

16.

When any person is in possession of a family identity card and such possession is not authorised by or under this Order, he shall forthwith deliver such family identity card to the officer-in-charge of the local supply office.

17. Family identity card to be registered in fair price shop.

- The holder of a family identity card shall get the same registered with a fair price shop in the manner prescribed by the Deputy Commissioner for the purpose of obtaining supplies of the foodstuffs for his family.

18. Fair price shop holder not to refuse foodstuff to family identity card holder.

- On demand and offer of price by or on behalf of holders of family identity cards a fair price shop holder shall not refuse to supply foodstuffs of appropriate quantities against such cards until the

stock with him is completely exhausted.

19.

Where a family identity card has been issued to the head of a family under sub-Clause (1) of Clause 6, no member of such family shall be entitled to a supply of foodstuffs under the Government scheme otherwise than on production of the family identity card to the fair price shop holder with whom such card has been registered.

20. Fair price shop holder to issue cash memo and maintain daily sale register.

- Every fair price shop holder shall issue cash memos for sale noting in each cash memo, the name and address of the customer, together with such particulars of family identity card as are specified by or under the orders of the Deputy Commissioner.

21.

Every fair price shop holder shall also maintain Daily Sales Register in such manner as will be specified by the Director, which shall be made up to date at the end of each day.

22. Fair price shop to sell at fixed hours, in fixed quantity for fixed period of consumption.

- A fair price shop holder shall sell foodstuffs during shop hours only as fixed by the Deputy Commissioner in such quantities and for such period of consumption as fixed by the Deputy Commissioner with prior approval of the Government.

23. Supervision of fair price shop.

- Every fair price shop holder shall comply with such other directions as may be issued from time to time by the Director or the Deputy Commissioner.

24.

Every fair price shop holder, when so required by an officer authorised by the Director or the Deputy Commissioner in this behalf shall-(a)surrender to such officer all authorities and documents delivered to such fair price shop holder under or for the purposes of this Order ; and(b)furnish such particulars, accounts and information relating to his dealings in and stocks of any foodstuffs as may be required.

25. Powers of entry, search, seizure, etc.

(1)The Director, the Deputy Commissioner or any Officer of the Supply Department or Police Officer not below the rank of Sub-Inspector authorised in this behalf by the Government and also any officer of the Weights and Measures Directorate not below the rank of Inspector of Weights and Measures with respect to paragraph (e) below, may, with a view to securing compliance with this Order or to satisfy that this Order has been complied with-(a)enter and search any premises used or believe to be used for the sale, distribution or storage for sale or distribution of any foodstuffs and inspect any such premises and any foodstuffs 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 foodstuff and every person so required shall comply with such requisition;(c)require any person to render any account or to produce books, accounts or such other documents relating to or believed to be relating to the purchase, sale, distribution or storage of any foodstuff 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 foodstuff which is produced under paragraph (b) or paragraph (c) or otherwise found in any such premises ;(e)test or cause to be tested the correctness of any weight or measure used or believed to be used in any transaction relating to the sale or distribution of any foodstuff;(f)take or cause to be taken the weight of all or any of the food stuffs found in any such premises ;(g)seize or authorise the seizure of any family identity card in respect of which he suspects that any provision of this Order has been or is being violated.(2)All searches and seizures under this Order shall be conducted as far as may. be practicable in accordance with the provisions of the Code of Criminal Procedure, 1973 :Provided that in entering upon and inspecting and searching any premises the officer so authorised shall have due regard to the social and religious customs of the persons occupying the premises.(3)The powers exercisable under this clause shall not be exercised except for the purpose of securing compliance with the provisions of this Order.

26.

The provisions hereinbefore contained in this Order, relating to the appointment of fair price shop holders and the distribution of foodstuffs through them and other obligations imposed on them shall have effect notwithstanding anything inconsistent therewith contained in any prior agreement or instrument appointing them for the same purpose.

27. Appeals.

- Appeals against the orders of the Deputy Commissioner and the Director, shall, lie to the Administrator within 30 days of the date of order appealed against.

28. Sanction for prosecution.

- No prosecution in respect of an alleged contravention of any provisions of this Order shall be

instituted without sanction in writing of the Director.