

Chhattisgarh Rice Procurement (Levy) Order 2005

CHHATTISGARH

India

Chhattisgarh Rice Procurement (Levy) Order 2005

Rule

CHHATTISGARH-RICE-PROCUREMENT-LEVY-ORDER-2005 of 2005

- Published on 17 June 2005
- Commenced on 17 June 2005
- [This is the version of this document from 17 June 2005.]
- [Note: The original publication document is not available and this content could not be verified.]

Chhattisgarh Rice Procurement (Levy) Order 2005Published vide Notification No. F 4-7/food/2005/29, dated 17.06.2005Last Updated 21st October, 2019Notification No. F 4-7/food/2005/29 dated the 17th June, 2005. - Whereas the Governor of Chhattisgarh is of opinion that for the purpose of procuring adequate quantities of the rice for Public Distribution System and for the purpose of securing the surplus rice available in the State for meeting requirements of other deficit States in the country it is necessary and expedient to make procurement of rice within the State of Chhattisgarh.Now therefore, in exercise of the power conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order of the Government of India, Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. G.S.R. 800 dated 9th June 1978, Removal of (Licensing Requirement, Stock limits and Movement Restrictions) Order, 2003 No, G.S.R. 490 (E) dated 16th June 2003 issued by Government of India Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs), the State Government hereby makes the following order, namely : -

1. Short title, extent and commencement.

(1)This order may be called the Chhattisgarh Rice Procurement (Levy) Order 2005.(2)It extends to the whole of the State of Chhattisgarh.(3)It shall come into force on the date of this publication in the "Official Gazette."

2. Definitions.

- In this order unless the context otherwise requires -(a)"State" means State of Chhattisgarh;(b)"State Government" means Government of Chhattisgarh;(c)"Director" means Director of Food, Civil Supplies and Consumer Protection, Chhattisgarh;(d)"Collector" means the

Collector of the district and includes any other officer authorised by the State Government to perform all or any of the functions of the Collector under this order;

(e) "Miller" means the owner or other person in charge of a rice mill;

(f) "Rice Mill" means the plant and machinery with which, and the premises including precincts thereof in which, or in any part of which rice milling operation is carried on;

(g) "Rice" means any variety of rice produced or manufactured by dehusking paddy in a mill worked by power, and includes rice equivalent of paddy held in stock;

(h) "Purchase Officer" means such authority or person as may be appointed by the Food Corporation of India;

(i) "Enforcement Officer" means an officer of the State Government not below the rank of Food Inspector or a police officer not below the rank of the Sub Inspector;

(j) "Custom Milling" means conversion of paddy procured under price support scheme by State Government into rice by millers as per norms fixed by Government of India for each Kharif Marketing Season.

3. Levy on Rice.

- (i) Millers, who will conduct the custom milling of the paddy purchased under price support scheme, will only be entitled to sell the quantity of levy rice to purchase officer of his own account, as may be notified in the Official Gazette by the State Government from time to time.

(ii) Every miller shall sell rice to the purchase officer as defined in clause 4 only after completion of the custom milling of the paddy in accordance with an agreement.

(iii) Millers shall sell only specified quality or rice to the purchase officer as per the norms fixed by the Government of India for each Kharif Marketing Season.

4. Process of Levy Procurement.

- (i) Before the sale of levy rice to the purchase office, millers engaged in custom milling will have to furnish a declaration in a format prescribed by the Director and submit it before the purchase officer and Collector or any officer authorised by the Collector.

(ii) On receipt of declaration from the millers, the purchase officer shall purchase the declared quantity of mentioned rice in prescribed format by millers. It shall be the duty of the miller to calculate and give the information of correct quantity of levy rice for sale in prescribed format according to the custom milled rice deposited by him to Food Corporation of India or Chhattisgarh State Civil Supplies Corporation Limited.

(iii) Enforcement officer and Purchase officer shall ensure that sale of only appropriate quantity of levy rice by miller takes place according to the custom milled rice deposited by miller to Food Corporation of India or Chhattisgarh State Civil Supplies Corporation Limited.

5. Restrictions on milling by miller.

- State Government can issue instructions on such terms and restrictions for millers, as may be notified by State Government, for conversion of the paddy procured under price support scheme and stored by State Government or its agency into rice.

6. Purchase price.

- The price payable to millers for fair average quality of common and Grade "A" variety of levy rice shall be according to the price fixed by the Government of India for concerned Kharif Marketing Season: Provided that in case the rice offered for sale does not conform to the specifications issued by Government of India, the miller shall bring out such improvements as may be necessary, in regard to various refractions of uniform specification so as to bring it within the specifications issued by Government of India.

7. Acceptance of Levy.

- (i) The purchase officer shall as far as possible in presence of the miller or his agent shall draw two representative sample and analyse in presence of the miller or his agent to confirm that the stock offered is conforming to uniform specification issued by the Government of India. (ii) The purchase officer shall release analysis result for calculation of the price and payment after the confirmation of the stock being as per the uniform specification. (iii) In case of dispute where the miller does not agree with the result of analysis referred to sub-clause (ii), the purchase officer shall as far as possible in the presence of the miller or his agent cause to be taken and sealed three representative samples of the rice delivered under clause 3, handover one sample to the miller or his agent and send two other samples to District Lab. of Food Corporation of India. Out of these two representative samples, one shall be analysed under the supervision of Deputy Manager (Quality Control) of Food Corporation of India associating with the Assistant Food Officer or Food Inspector of the concerned districts. (iv) The result of the second sample analysis referred in sub-clause (iii) shall be binding on both the parties and the price payable for the stock of rice shall be finally calculated on the basis of that result.

8. Inspection and supervision over purchase officer.

- With a view to securing compliance with the provisions of this order, the State Government, Director or the Collector, within their respective jurisdiction may, from time to time, call for details of levy collected or custom milled rice delivered by millers from appropriate authority of Food Corporation of India.

9. Exemption.

- The State Government may, 'by general or special Order exempt any person or class of persons from the operation of all or any of the provisions of this Order and may at any time revoke or cancel such exemption.

10. Penalty.

- (i) If any miller or person contravenes any provision of this Order, he shall be liable to punishment under section 7 of Essential Commodities Act, 1955. (ii) If any miller contravenes any of the

provisions of this Order, then whole or any part of any stock of rice, together with the packages and covering thereof shall be forfeited to the State Government.

11. Powers Entry, Search and Seizure etc.

- Any Enforcement Officer may, with a view to securing compliance with the provisions of this Order or to satisfying himself that Order has been complied with -(i)enter, with such assistance as may be necessary any rice mill or other premises where he has reason to believe that rice is produced or stocked;(ii)ask of any person all necessary questions;(iii)examine any books or documents or call for the submission of such returns relating to the stocks of custom milled rice and other rice held by miller.(iv)search and so far may be necessary for the purpose, detain any person or seize rice found in such person's possession in respect of 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 authorise the taking of all measures necessary for the production of stocks, so seized in a court and for their safe custody, pending such production.

12. Maintenance of records.

- Every miller shall maintain records of paddy and rice in a format as prescribed by Director.

13. Appeal.

(1)Any person aggrieved by an order of the Enforcement officer or purchase officer regarding levy or custom milling may appeal to the Collector within 30 days of the date of receipt of the order.(2)Any person aggrieved by an order of the Collector regarding levy or custom milling may appeal to the State Government within 30 days of the date of receipt of the order.

14. Duty to comply with Orders and directions.

- Every miller or other person to whom any order or direction is issued under any powers conferred by or under this Order shall comply with such order or direction.

15. Repeal and Savings.

- Chhattisgarh Rice Procurement (Levy) Order 1970, enforced by this department's Order No. 5728-2544-XXX (i) 70, dated 15th August 1970 is hereby rescinded on the date of enforcement of this Order. Notwithstanding anything contained in such repeal, any order issued under the Chhattisgarh Rice Procurement (Levy) Order 1970 shall be deemed to have made granted or issued under this Order.