

The U.P. Wheat Products Control and Distribution Order, 1967

UTTAR PRADESH

India

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Rule

THE-U-P-WHEAT-PRODUCTS-CONTROL-AND-DISTRIBUTION-ORDER of 1967

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The U.P. Wheat Products Control and Distribution Order, 1967Published vide Notification U.P. Gazette, (Extraordinary), dated 7th March, 1967, vide Notification No. 7132/29-D-3(6)-67, dated 7th March, 1967Whereas, the State Government is of opinion that it is expedient so to do for securing the equitable distribution and availability of food grains at fair prices:Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Act No. 10 of 1955), read with the Order of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under G.S.R. No 609, dated June 9, 1966, all other powers enabling him in this behalf, the Governor of Uttar Pradesh with the prior concurrence of the Central Government is pleased to make the following Order, namely:

1. Short title, extent and commencement.

(1)This Order may be called the Uttar Pradesh Wheat Products Control and Distribution Order, 1967.(2)It extends to the whole of Uttar Pradesh.(3)It shall come into force at once.

2. Definitions.

- In this Order, unless the context otherwise requires,-(a)"District Magistrate" includes any officer authorised in writing by the District Magistrate to perform any of his functions under this Order;(b)["Food Officer" means the Regional Food Controller, or the District Magistrate and for purposes of clause 5 includes the Superintendent of Police Incharge, Crime Branch (Criminal Investigation Department), Uttar Pradesh, and any other person authorised in this behalf in writing by the said Superintendent of Police.] [Substituted by Notification No. 3736/XXIX-D-65-66, dated 7th June, 1967.](c)"Flour Mill" means a power driven flour mill other than a roller mill;(d)"Regional Food

Controller" includes any officer authorised in writing by him to perform any of his functions under this Order;(e)"Roller Mill" means a flour mill in which disintegration of wheat is done by grooved steel or iron roller worked by power;(f)"State Government" means the Government of Uttar Pradesh;(g)"Wheat Products" means suji or rawa-maida, wholemeal atta or resultant atta, produced in a Roller mill or Flour mill.

3. Restrictions on milling and sale of wheat products.

- No owner or other person in charge of-(a)a roller mill, or(b)a flour mill which is a party to subsisting agreement with the Central Government for allotment of imported wheat by the latter to the former, for purposes of milling shall-(i)mill and indigenous, wheat, or(ii)sell or offer for sale any product of indigenous wheat.

4. Furnishing of information and carrying out directions by roller mills.

- Where owner or other person in charge of a roller mill shall-(i)furnish correctly such information relating to the business of the roller as may be demanded from him by the Food Officer for the purposes of the Order, and(ii)carry out such orders and directions not being inconsistent with the provisions of the Wheat Roller Flour Mills (Licensing and Control) Order, 1957, or of any Order or direction issued thereunder, as may from time to time be given by the State Government or the Regional Food Controller.

5. Power of entry, search and seizure, etc.

(1)Any Food Officer may enter and search or authorise any person to enter and search any flour or roller mill or any premises thereof used or believed to be used for the storage of wheat or wheat products and seize or authorise the seizure of any stock of wheat or wheat products in respect of which he has reason to believe that contravention 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 securing the production of stocks of wheat or wheat products so seized in a court and for their safe custody pending such production.(2)The provisions of Sections 102 and 103 of the [Code of Criminal Procedure, 1898 (Act No. 5 of 1898)] [Now see Section 100 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974).], relating to search and seizure shall, so far as may be, apply to search and seizures under this clause.

6. Savings.

- The provisions of this Order shall be in addition to and not in derogation of anything contained in the Wheat Roller Flour Mills (Licensing and Control) Order, 1957, or the Roller Mills Wheat Products (Price Control) Order, 1965.

7. Rescission.

- The Uttar Pradesh Foodgrains (Control Requisition and Distribution) Order, 1963, is hereby rescinded and the provisions of Sections 6, 8 and 24 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act No. 1 of 1904), shall apply in relation to its rescission as they apply in relation to the appeal of an enactment by an Uttar Pradesh Act.