

The Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982

ODISHA

India

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Rule

THE-ORISSA-RICE-AND-PADDY-PROCUREMENT-LEVY-AND-RESTRICTION ON SALE AND MOVEMENT ORDER OF 1982

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The Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982 Published vide Notification S.R.O. No. 769/82, dated 30th October, 1982, Orissa Gazette Extraordinary No. 1582, dated 1.11.1982 S.R.O. No. 769/82. - Whereas the State Government are of opinion that it is necessary and expedient so to do for maintaining the supply of rice and for securing its equitable distribution and availability at fair prices in the State of Orissa. Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of Government of India in the Ministry of Agriculture and Irrigation (Department of Food) GSR 800, dated the 9th June, 1978 published in the Gazette of India, Part II, Section 3, Sub-Section (i), dated the 9th June, 1978 and with the prior concurrence of the Government of India, the State Government do hereby make the following order namely :

1. Short title, extent and commencement.

(1) This order may be called the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982. (2) It extends to the whole of the State of Orissa. (3) It shall come into force from the date of its publication in the Orissa Gazette.

2. Definitions.

- In this order unless the context otherwise requires-(a) "Agent" means the Food Corporation of India established under the Food Corporation Act, 1964, or another Corporation, Company, Co-operative Society appointed by the Government to purchase stocks of rice or paddy from a miller

or a dealer or a producer directly or otherwise for cash and includes its officers and subagents appointed by such agents;(b)"Director" means the Director of Food Supplies, Orissa and includes any officer authorised by the Director to exercise the powers of the Director under this order;(c)"Collector" means the Collector of District and includes any officer not below the rank of Sub-divisional Officer duly authorised by the Government or the District Collector to exercise the powers of the Collector under this order, as may be specified in the said authorisation;(d)"Purchase Officer" means an officer appointed by Agent to purchase paddy/rice from the Millers/Dealers/Producers on behalf of the Agent;(e)["Enforcement Officer" means an officer of the Government not below the rank of an Inspector of Supplies appointed as such for the purpose of this order;] [Substituted by S.R.O.No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No 1512 dated 17.11.1983.](f)"Government" means the Government of Orissa;(g)["Miller" means the owner or other person in charge of a rice mill [* * *] [Substituted by S.R.O.No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No 1512 dated 17.11.1983.] and includes a person or authority which has the ultimate control over the affairs of such mill and when the said affairs are entrusted to a Manager, Managing Director, Managing Agent, such Manager, Managing Director or Managing Agent, as the case may be;](h)[* * *] [Deleted by Notification No. 37243 - dated 5.12.1988 published in the Orissa Gazette Extraordinary No. 1788 dated 24.12.1988.](i)"Support Price" means the minimum price payable to the producer by the Purchase Officer or by the Miller directly purchasing paddy from the producers, as may be notified by the Government for different varieties of paddy for any particular Khariff season;(j)["Procurement Price" in relation to any variety of rice means the price fixed by the State Government with the prior concurrence of the Central Government, from time to time as payable to the Miller/Dealer by the Purchase Officer;] [Substituted by S.R.O.No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No 1512 dated 17.11.1983.](k)"Rice" means any variety of dehusked polished, raw or parboiled rice and includes rice equivalent to paddy held in stock.Explanation - For the purpose of this Sub-clause [sixty-seven kilograms of raw rice and sixty-eight kilograms of parboiled rice] [Substituted by Notification No. 22478 dated 25.7.1996 (Orissa Gazette Extraordinary No. 809 dated 7.8.1996)] shall be considered equivalent to one quintal of paddy;(l)"Rice Mill" means the plant, and machinery with which and the premises including the precincts thereof in which or, in any part of which, rice milling operation is carried on;(m)"Custom Milling" means milling of paddy, not belonging to the Miller into rice in his rice mill on payment of milling charges in cash or kind;(n)"Schedule" means a schedule appended to this order;(o)"Form" means a form prescribed by the Director and notified in the Official Gazette.

3. [Levy on Millers. [Substituted by S.R.O.No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No 1512 dated 17.11.1983.]

(1)Every Miller Shall sell to the Purchase Officer at the procurement price [seventy-five per cent] of the total quantity of-(a)each variety of rice conforming to specifications milled by him everyday out of stocks of paddy owned by him, and(b)each variety of rice conforming to specifications purchased or otherwise acquired by him for purpose of sale from persons other than a miller or dealer.(2)For the purpose of calculating the quantity of rice saleable under Sub-clause (1), a quantity of paddy shall be deemed to yield rice at the extraction rate of [sixty-seven percent in case of raw rice and sixty-eight percent in case of parboiled rice] [Substituted by Notification No. 22478 dated 25.7.1996]

(Orissa Gazette Extraordinary No. 809 dated 7.8.1996)]. Provided that the Government may, by notification in the Orissa Gazette vary or amend the above rate of extraction in respect of any area or for any type, variety or grade of paddy.]

4. [Purchase of paddy. [Substituted by Notification 7243 - dated 5.12.1988 published in the Orissa Gazette Extraordinary No. 1788 dated 24.12.1988.]

- No person, whether Miller of Food Corporation of India or its agents or anybody else shall purchase paddy at prices lower than the [Support Prices] declared by the State Government In a Notification in the Official Gazette : Provided that the State Government shall be competent to fix different prices for different grades and varieties of paddy for different Khariff years beginning on first of the month of October.]

5. [Direction for milling of paddy into rice. [Substituted by Notification 7243 - dated 5.12.1988 published in the Orissa Gazette Extraordinary No. 1788 dated 24.12.1988.]

- The Director or the Collector may, with a view to regulating the production of rice of fair average quality of expeditious milling of paddy direct a miller to convert any stock of paddy held by him or Food Corporation of India or Government or its agencies within such period and under such terms and conditions as may be specified by the Director or Collector. Provided that the quantity of paddy to be given to a miller for milling under this clause during one khariff season beginning from first October shall not exceed forty per cent of the annual [* * *] milling capacity of his mill to be calculated on average of three hundred working days. Explanation - For the purpose of this proviso, the [* * *] [The word 'licence' deleted by Notification No. 31435 dated 6.11.1997 (O.G. Part IIIA No. 48 dated 28.11.1997)] milling capacity of any rice mill shall be the same as mentioned in the licence issued under the Rice Milling Industry (Regulation) Act, 1958, and the rules made thereunder.]

5A. [Milling the paddy within the marketing season. [Inserted by 3.10 803/83 - dated 16.11.1983, published in the Orissa Gazette Extraordinary No. 1512 dated 17.11.1983.]

- No paddy shall remain unmilled with the millers at the end of the marketing season in which the paddy has been purchased., [Provided that the Government may, after informing the Central Government of the quantity of and the reasons for the paddy remaining unmilled at the end of the seasons, exempt in public interest any area from operation of Clause 5-A by issuing notification in the Gazette subject to such conditions as may be imposed.]

6. [Levy Rice-To conform to specifications. [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.]

- The rice required to be sold by the Miller or Dealer under Clause 3 or Clause 4 as the case may be, shall conform to the specification of rice for fair average quality prescribed in Schedule-I applicable to the respective variety of rice and shall not contain refractions beyond the rejection limit shown therein, and in case, any stock of rice offered for sale does not conform to such specifications, it shall be reconditioned or rectified by the Miller or the Dealer, as the case may be before being so offered so as to bring it in conformity with such conditions.]

7. [Restrictions on custom milling rice mills. [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.]

(1) No miller shall undertake custom milling of paddy except under and in accordance with a permit in the relevant form issued by the Collector or an Officer authorised by him in this behalf : Provided that no permit shall be required for undertaking custom milling of paddy brought by a cultivator from the stocks of paddy grown by him or an agricultural labourer out of stocks of paddy earned by him as wages or the paddy held in stock by the Food Corporation, the Government or its agencies. (2) [In every case, where any stock of paddy is received by a miller from cultivator or an agricultural labour as referred to in the proviso to Sub-clause (1), the Miller shall grant to the person delivering paddy, a receipt in Form "L" as set forth in Annexure-12 and for the purpose of this sub-clause: (i) the receipt shall be kept in bunch in the form of a book, each such book along with its counterfoil containing fifty such receipts, consecutively and mechanically numbered; (ii) as soon as a new Receipt Book is brought to use, the serial number of re-receipts already brought to use shall be reported to the Collector; (iii) not more than one Receipt Book shall be used to at any time; (iv) no new receipt Book shall be brought to use till the Receipt Book used if any has been fully exhausted; and (v) Counterfoils of receipts granted shall be kept by the miller and be so produced for inspection and verification when required by the competent authority].

8. [Levy on Food Corporation. [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.]

- No levy shall be charged from the Food Corporation.]

9.

(1) No Miller [* * *] [Deleted by Notification No. 37243 dated 5.12.1988, published in Orissa Gazette Extraordinary No. 1788 dated 24.12.1988.] shall sell or agree to sell or otherwise dispose of the rice recovered by milling other than the quantity specified in Clause 3 [* * *] [Deleted by Notification No. 37243 dated 5.12.1988, published in Orissa Gazette Extraordinary No. 1788 dated 24.12.1988.] except in accordance with the [permit in the relevant Form] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] issued by the Collector or any Officer authorised by the Collector or the Director in this behalf. [Provided that no such permit shall be required for the miller intending to dispose of levy free rice within the

State, but the miller shall intimate the Collector concerned every fortnight regarding the quantity of levy free rice disposed without such permit.] [Added by Notification No. 20234 dated 29.7.2000 (Orissa Gazette Extraordinary No. 1571 dated 10.11.2000).](2)Save as otherwise provided in Sub-clause (1) no [Miller] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] [* * *] [Deleted by Notification No. 37243 dated 5.12.1988 published in Orissa Gazette Extraordinary No.1788 dated 24.12.1988.] shall transport rice for sale from the premises of any rice mill [* * *] [Deleted by Notification No. 37243 dated 5.12.1988 published in Orissa Gazette Extraordinary No.1788 dated 24.12.1988.] except in accordance with the [permits in the relevant Form] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] issued by the Collector or any Officer authorised by the Collector or the Director.(3)[Miller agents and the producers shall export rice out of the State. Miller agents will be allowed to export rice including carry over rice beyond the State border after delivery of [seventy-five per cent] [Substituted by No. 37243 dated 5.12.1988 published in Orissa Gazette Extraordinary No.1788 dated 24.12.1988.] levy. There will also be no restriction on movement of rice from one district to another or within the State by miller, producer, or any other person. A producer may export rice produce in his land not exceeding two quintals during a calendar month to another State for consumption of his family residing in that State on the strength of a permit issued by the Collector of the district in which the rice is produced or by any other officer not below the rank of Sub-divisional Officer, as may be authorised by the said Collector in this behalf.]

10. Restriction on sale and movement of paddy.

(1)No Miller shall sell or agree to sell or otherwise dispose of paddy, in the shape of paddy, except in accordance with the [permit in relevant Form] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] issued by the Collector or an officer authorised by the Collector or the Director in this behalf.(2)Save as otherwise provided in Sub-clause (1) above, no Miller, [* * *] [Deleted by Notification No. 37243 dated 5.12.1988 published in Orissa Gazette Extraordinary No.1788 dated 24.12.1988.] shall transport paddy for sale from his premises except in accordance with the [permit in relevant Form] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] issued by the Collector or any officer authorised in this behalf by the Collector or the Director.(3)[Producers shall be allowed to move stocks of paddy/out side the State.] [Substituted by No. 37243 dated 5.12.1988 published in Orissa Gazette Extraordinary No.1788 dated 24.12.1988.]

11. Delivery of Stocks.

- [(1) The rice required to be sold to the Purchase Officer under Clause 3 or Clause 4, shall be delivered by the miller or dealer, as the case may be, to the Purchase Officer in such lots, in such manner, at such place and at such time, as the Director, the Collector or the Purchase Officer may direct :Provided that in case of delivery of levy rice at a place other than the mill premises or the business premises of the miller or dealer, as the case may be, the miller or dealer shall be entitled to the payment of other charges, incidental to such delivery including transportation charges, as regulated in accordance with the instructions issued by Government from to time:Provided further

that the levy rice shall be delivered by the miller or dealer in gunnies of specification and capacity, as may be determined by the State Government.] [Substituted by SRO No. 803/83 - dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.][Provided also that all licensed miller and dealer shall supply levy rice required to be sold to the Government on or after the 1st October, 1994 to the Food Corporation of India only in double-line machinestitched new B.T.Bags and they shall be paid compensation for double-line machine stitching and for the price of the new B.T. gunny bags at such rates as may be notified by the Government from time to time.] [Inserted by Notification No. 31314 Dated 26.8.1996.][Provided also that the Millers shall machine stitch a Rexin slip or Canvas slip (15 Cm. to 10 Cm.) along with the mouth of each bag on the outer side bearing the name of the Miller, Crop year, Code No., Net weight, Lot No. and Category of Rice etc.] [Inserted by Notification No. 20525 dated 10.9.2004 (Orissa Gazette Extraordinary No. 1258 dated 21.9.2004).](2)The Purchase Officer shall, subject to such general or special instruction as may be issued from time to time by the Government or the Director or the Collector [or the Food Corporation] [Substituted by SRO No. 803/83- dated 16.11.1983, vide Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] for delivery of the quantity of rice sold [under Clause 3 or 4, as the case may be] [Substituted by SRO No. 803/83- dated 16.11.1983, vide Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] by or on behalf of the miller or dealer give a receipt to him specifying the quantity and variety of rice delivered by him or on his behalf and the date of taking delivery thereof.(3)The Purchase Officer, shall, on taking delivery of the rice immediately pay ninety-five per cent of the price for the quantity and the variety of rice so delivered calculated on the basis of the [Procurement Price] [Substituted by SRO No. 803/83- dated 16.11.1983, vide Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.] and obtain a receipt from the seller therefore. The payment of the balance five per cent of the price shall be made after making such deductions in the total price as are allowed in Schedule-I assessed on analysis as provided in Sub-clause (4), notwithstanding anything provided in [Clause 3 or Clause-4.] [Substituted by SRO No. 803/83- dated 16.11.1983, vide Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.](4)The Purchase Officer shall, as far as possible, in the presence of the Miller or Dealer or his agent, cause to be taken three representative sealed samples of rice delivered under [Clauses 3 and 4, as the ease may be] [Substituted by SRO No. 803/83- dated 16.11.1983, vide Orissa Gazette Extraordinary No. 1512 - dated 17.11.1983.], handover one sample to the Miller or Dealer or his agent and send the other two samples to the Food Grains. Analytical Laboratory established by Food Corporation of India or by the State Government and one of the two samples shall be analysed in the Laboratory and the other retained therein.(ii)The price payable for the stock of rice shall be determined on the basis of the result of the analysis which shall be communicated to the miller or the dealer, as the case may be.(iii)If within a week of the receipt by him of the result of the analysis, the miller or the dealer dispute the correctness of the result, the Purchase Officer shall arrange to get other sample retained in the Laboratory re-analysed after previous intimation to the miller or dealer about the date and time fixed for such analysis. The miller or the dealer, if he so desires, may either be himself present or depute his representative to be present at such re-analysis.(iv)The result of the re-analysis referred to in Sub-clause (iii) shall be binding on both the parties and the price payable for the stock of rice shall finally be determined on the basis of that result

12.

The Government shall have the powers to impose a maximum storage limit on Millers/Dealers of quantities of rice to be specified in a notification to be published in the Orissa Gazette: Provided that the above storage limit shall be exclusive of any stock of rice held by the Miller/Dealer as levy share of Government.

13. Powers of entry, search and seizure.

(1) The Director, the Collector or any Enforcement Officer may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with - (a) inspect or cause to be inspected any book or document or accounts as well as any stock of rice or paddy belonging to or under the control of a miller or dealer; (b) require any person to give any information in his possession with respect to any undertaking or business for production or manufacture of rice or for purchase, sale or storage for sale of rice or paddy; (c) stop and search forthwith, with such aid or assistance as may be necessary, any person vehicle or vessel or animal used or suspected of being used for delivery of rice or paddy from the mill or other premises of the miller or dealer where, he has reason to believe, rice or paddy is stored; (d) enter and search, with such aid, or assistance as may be necessary such mill or other premises; (e) seize and remove, with such aid or assistance as may be necessary; (i) any stock of rice or paddy in respect of which or a part of which, he has reason to believe, a contravention of any of the provisions of this order has been or is being or is about to be committed; (ii) any package, covering or receptacle in which such stock of rice or paddy is found; and (iii) the animal, vehicle or other conveyance used in carrying such stock of rice or paddy if he has reason to believe that such animal, vehicle, vessel, or other conveyance is liable to be forfeited under the provisions of the Essential Commodities Act, 1955 and thereafter take or authorise, to take all measures necessary under the provisions of Section 6-A of the said Act, for securing the production of the package, covering, receptacle, animal, vehicle, vessel or other conveyance seized before the Collector, and for their safe custody pending such production. (f) seize and remove any books of accounts or documents which in his opinion, shall be useful for, or relevant to any proceeding in respect of any contravention of this order and allow the person from whose custody such books of accounts or documents are seized to make copies thereof or to take extracts therefrom in his presence. (2) The provisions of the Code of Criminal Procedure, 1973 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

14. Maintenance of accounts.

(1) Every miller shall maintain - (a) [separate accounts of paddy brought for the purpose of custom milling by a cultivator from the stocks of paddy grown by him and by an agricultural labourer out of stocks of paddy earned by him as wage; and [Substituted by Notification No. 37878 - dated 14.11.1991.] (b) a register of daily accounts of paddy - (i) received by him from sources, other than those mentioned in (a) above, for the purpose of custom milling; or (ii) grown by him in his own land and brought, for the purpose of milling in his mill; and (iii) processed in his mill during the day in the relevant forms. (1-a) whenever any stock of paddy is delivered to the miller for the purpose of custom milling - (a) the paddy shall invariably be weighed in the presence of the person delivering it; (b) the

weight of the paddy shall be recorded in the register referred to in Sub-clause (1);(c)a receipt shall be granted in Form-B as set forth in Annexure-12 to the person delivering the paddy after obtaining his signature at the space provided in such register;(d)the milled rice (after the paddy is milled) shall, at the time of delivery, be weighed in the presence of the persons to whom the paddy belongs or his agent, the weight being recorded in the aforesaid register, and the signature of the person receiving the milled rice shall be obtained in the register.(1-b) Every miller shall furnish a fortnightly return, containing an extract of the account mentioned in Sub-clause (1), for fortnightly periods ending on the 15th and the last day of every Calendar month, to the purchase officer and the Collector exercising jurisdiction in the area so as to reach the latter within five days of the close of the fortnight.](2)Every dealer shall maintain a register of daily accounts of paddy/ rice purchased and sold by him in the relevant form and shall submit fortnightly returns as in the case of the miller, to the Purchaser Officer and the Collector exercising jurisdiction in the area.

15. Periodical verification of stocks with the Miller/Dealer.

(1)The Enforcement Officer shall periodically, which shall not be less than once a week, verify the rice stock in the mill and issue a certificate in the relevant Form.(2)The Enforcement Officer shall, also periodically verify the stock of rice/paddy available with the Dealers, and issue a certificate in the relevant Form.(3)Copies of the above certificates shall, be furnished to the Purchase Officer and the Collector exercising jurisdiction in the area.

16. Certificate of Levy payment.

- The Purchase Officer shall, at the time of taking delivery of the levy stock of rice from the miller/ dealer issued a certificate to the latter in relevant Form.

17. Disposal or levy free rice.

(1)A miller shall be entitled to sell the stock of rice after having paid the required levy thereon, both inside and outside the State.(2)A dealer shall be entitled to sell the rice milled by him out of paddy acquired by him, after having paid the required levy there on, both inside and out side the State.(3)In respect of rice acquired by a dealer in the shape of rice on which this order does not impose any levy liability, he shall be entitled to sell the rice inside the State only:Provided that the dealer shall be entitled to sell such rice out side the State after payment of levy there on, [* * *] [Deleted by Notification No. 41303 - dated 26.12.1988.](4)For transporting any stock of rice for sale as provided under Subclauses (1), (2) and (3), the miller or dealer as the case may be, shall obtain a transit permit in the relevant Form, the Collector or any officer authorised by the Collector or the Director, such transit permits shall be valid for a period of [four days from the date of issued of the permits.] [Substituted by Notification No. 41303 dated 26.12.1988.][Provided that no such permit shall be required for the miller for transporting any such stock of levy free rice for a sale within the State.] [Added by Notification No. 20234 dated 29.7.2000 (Orissa Gazette Extraordinary No. 1571 dated 10.11.2000).]

18.

(1)The Agent shall maintain a register of levy paid certificate issued by its Purchase Officer, in respect of rice in the relevant Form.(2)The Agent shall submit a monthly return of levy paid certificate issued by its Purchase Officer in favour of the Miller/Dealer, to the concerned Collector, in the relevant Form so as to reach the Collector by the 5th of the month succeeding the month covered by the return.

19. [[Substituted by Notification No. 41303 dated 26.12.1988.]

(1)The Government, the Director or the Collector may, from time to time, give to the Enforcement Officer or to the Agent or Miller or Dealer any general or specific directions as may be necessary for the implementation of his Order, and any such directions shall not be departed from except with the previous permission of Government, Director, or the Collector, as the case may be.]

20. [[Substituted by Notification No. 41303 dated 26.12.1988.]

(1)The Government may, in public interest exempt any area from levy or reduce quantum of levy in any area, with the prior concurrence of the Central Government.(2)The Government may, in public interest, exempt any class of persons from levy with the prior concurrence of the Central Government.]

21. Appeal.

(1)Any Miller or Dealer [* * *] [Deleted by S.R.O. No. 803/83 dated 16.11.1983 published in the Orissa Gazette Extraordinary No. 1512 dated 17.11.1983.] aggrieved by the order of the Purchase Officer fixing the quantum of levy under any of the [Clause 3 or Clause 4] [Substituted by Notification No. 41303 dated 26.12.1988.], as the case may be, within seven days from the date of service of such order, appeal to the Collector exercising jurisdiction in the area in which the mill of the miller, or the business premises of the dealer is situated.(2)The Collector shall fix the date, time and place for hearing of the appeal thus preferred to him and may from time to time adjourn the hearing and make or cause to be made such further enquiries as he deems fit.(3)In disposing of an appeal, the Collector may confirm or annul the order appealed against or reduce or enhance the quantity of rice to be sold under the said order.(4)Collector shall communicate in writing the order passed in appeal by him to the appellant and also to the Purchase Officer concerned. Every order of the Collector on such appeal shall be final.

22.

The provisions of this Order, in so far as they relate to the delivery of rice to the Agent or to his Purchase Officer on account of levy, shall not be applicable to a department of the State Government and the Orissa State Civil Supplies Corporation. Annexure-1 Form-A [Clause-14(1)] (Custom Milling Account of the Miller)

Date	Opening stocks of paddy received for custommilling	Total quantity of paddy received during the dayfor custom milling	Full names and address of persons deliveringpaddy as shown under Col. (3) and the quantity of paddy tenderedby each	Quantity of rice, broken rice and bran producedand available in stock at the beginning of the day
1	2	3	4	5

Quantity of rice, broken rice and bran producedduring the day	Total quantity of rice, broken rice, branavailable for the day	Total quantity of rice, broken rice, and bran issued to the customers during the day	Full names and address of person receiving rice,broken rice and bran from the Miller	Closing balance of the stock of paddy and stockof rice, broken rice and bran under the custom milling account atthe end of the day
6	7	8	9	10

Note - Quantities of paddy, rice, broken rice and bran should be shown separately. Annexure-2 Form-B [Clause 14(1)] (Miller's Account)

Date	Opening stock of paddy purchased by the miller	Quantity of paddy purchased by the miller duringthe day	Quantity of paddy processed into rice and thequantity of rice, broken rice and bran obtained in the resultduring the day	Quantity of rice to be delivered by the miller aslevy share
1	2	3	4	5

Quantity of rice delivered as levy during the day	Balance Quantity of rice to be delivered by theMiller towards levy share	Quantity of rice sold by the miller under tree trading	Closing stock of paddy at the end of the day	Closing stock of rice, broken rice and bran, atthe end of the day
6	7	8	9	10

Note - Quantities of rice, broken rice and bran to be shown separately. Annexure-3 Form-C [Clause-14(2)] (Dealer's Account of paddy purchased by the Dealer and miller into rice for sale)

Date	Opening stock of paddy purchased by the Dealerfor conversion into rice for sale	Opening stock of rice processed out of paddypurchased by the dealer	Quantity of paddy purchased during the day forconversion into rice for sale	Quantity of paddy milled into rice during the day
1	2	3	4	5

Quantity of rice obtained out of paddy milled asunder Col.(5)	Quantity of rice payable as levy	Quantity of rice delivered as levy	Balance quantity of rice to be delivered by the dealer towards levy	Closing stock of paddy at the end of the day	Closing stock of rice at the end of the day
6	7	8	9	10	11

Annexure-4 Form-D [Clause 14(2)] (Dealer's Account of rice purchased by the dealer in shape of rice)

Date	Opening stock of rice	Quantity of rice acquired by purchase during the day	Total stock of rice available for the day for sale	Quantity of rice sold during the day	Closing stock of rice at the end of the day
1	2	3	4	5	6

[Annexure-5] [Substituted by Notification No. 30221 dated 6.12.2003 (Orissa Gazette Extraordinary No. 1890 dated 11.12.2003).] [Form - E (See Clause 15(1))] Enforcement Certificate (Enforcement Officer's Certificate of verification of Miller's account and order for delivery of levy rice to Purchase Officer) Order No..... Dated..... It is certified that,-

1. The production of Rice in the Rice Mills of M/s. from to..... has been verified and found to be..... Qtls. (varietywise) out of which the levy share @.....% in accordance with the Levy Control promulgated by the State Government, vide Notification No..... dated..... works out to be..... Qtls. which will have to be delivered as levy rice.

2. The aforesaid miller is accordingly directed to deliver the above quantity of Qtls. (varietywise) of Rice to the concerned Purchase Officer of F.C.I. as levy against this order.

3. The progress, re quantity of levy rice required to be delivered from to by the Rice Mi/s works out to..... Qtls. for the kharif season.

4. The progressive purchase of paddy by the Rice Mill from..... till date Kharif year..... is..... (varietywise) Qtls. against which the miller is holding stock of (varietywise) Qtls. of paddy on date which is yet to be milled.

In addition to the above, it is further certified that -(1) The Rice Mill Owner has purchased the paddy at the Minimum Support Price fixed by Government of India for the Crop year Kharif

200....200....;(2)The complete and correct accounts have been maintained in respect of the quantity of paddy the Miller has purchased, the quantity milled and the quantity of Rice which the miller is authorised to deliver as the levy share due to accordance with the Levy Control Order issued by the State Government for Kharif year 200.... 200.....;(3)That the paddy has been purchased directly from the farmers by the Rice Millers;(4)The levy during the current season is only for the paddy purchased by the Rice Miller during the procurement season which has been fixed from the 1st October 200..... to..... 30th September; and(5)Special Drought Relief of Rs.....per quintal for paddy has also been passed on to the farmer over and above Minimum Support Price while purchasing the paddy from him.Full Name, Designation and Signature of Enforcement Officer as authorised by the State Government][Annexure-6] [Substituted by Notification No. 4373 dated 17.2.1984.]Form - F[See Clause 15(2)](Certificate of verification of Dealer's Accounts by Enforcement Officer)Certified that M/s.....(Name of the dealer) has acquired for sale.....quintals of rice by milling paddy purchased by him between.....(Date of commencement of the Kharif year) and.....(Date of Inspection) and against his liability to pay 50% of the said rice as levy. He has deliveredquintals of rice as levy. The aforesaid dealer has therefore -

1. Paid the levy in rice in full.

2. It is yet to delivery.....quintals of rice towards levy.

3. Has delivered quintals of rice as advance levy.

Full name, designation and Signature Enforcement Officer.[Annexure-7] [Substituted by Notification No. 4373 dated 17.2.1984.]Form-G[See Clause 16](Certificate of payment of levy rice to the Purchase Officer)No.....Dated.....It is certified that vide Enforcement Officer's Order No.....dated.....M/s.....(Name of the Miller/Dealer) have delivered.....quintals of levy rice on.....pertaining to the period.....to.....

2. *A balance of quintals is to be delivered as levy rice against the aforesaid order.

3. *The said Miller/Dealer has completed delivery of levy rice to the extent of [seventy-five per cent] [Substituted by Notification No. 29931 dated 8.10.1996 Orissa Gazette Extraordinary No. 1184 dated 13.11.1996.] of the rice produced in the mill procured by the Dealer out of milling of paddy purchased by him.

He is therefore, entitled to dispose of the remaining [twenty-five per cent] [Substituted by Notification No. 29931 dated 8.10.1996 Orissa Gazette Extraordinary No. 1184 dated 13.11.1996.] amounting of..... quintals.

4. The progressive rice production by the rice Miller/Dealer from....(date of commencement of the Kharif year) till date is.....and the progressive delivery of levy rice is.....quintals till date.

Strike off which ever is inapplicable. Copy to Enforcement Officer. Signature of the Purchase Officer Annexure-8 Form-H [Clause 17 read with Clause-9] Office of the Collector..... (Name of the District) S.D.O..... (Name of the Sub-division) (Name of the District) Permit for sale and Transit of Levy Free Rice (Inter-State movement) A Levy paid certificate No..... dated..... was issued in favour of M/s..... (Name of the Miller or Dealer), holder of foodgrains licence No..... for..... quintals of levy rice, by..... (designation of the officer), Purchase Officer of the F.C.I./Apex against the above Levy Payment. Messers..... (Name of the Miller or Dealer) are allowed to sell or otherwise dispose of quintals of rice, and Shri/Messers..... (Name of the Purchase of the Miller or Dealer, as the case may be) is/are authorised to transport..... quintals of rice by road/rail to (destination point)..... from..... (despatching point). Necessary endorsement has been made by the undersigned on the Levy Paid Certificate. This transit permit is valid from..... (date) to..... (date)

Date..... Signature
Collector District
S.D.O.
Sub-division District

Note - [This permit shall be issued in two copies. One copy shall be given to the Miller selling the stock and the second copy shall be retained in the office of issue.] Annexure-9 Form-I [Clause 17 read with Clause 9] Office of the Collector..... (Name of the District) Permit for sale and transit (for export out of the State) levy Free Rice A Levy paid certificate No..... dated..... was issued in favour of M/s..... (Name of the Miller/Dealer) holder of foodgrains licence No..... for..... quintals of levy rice by Purchase Officer of the F.C.I./Apex. Against the above levy payment, Messers..... (Name of the Miller or Dealer) are allowed to sell or otherwise dispose of..... quintals of rice, and Shri/Messers (Name of the Miller/Dealer or the person purchasing the rice from the Miller/Dealer) is/are authorised to transport..... quintals of rice out of the State by road/rail to..... (destination point) from (despatching point). Necessary endorsement has been made by the undersigned on the Levy Paid Certificate. This transit permit is valid from, (Date)..... to..... (Date). Date Signature Collector (Name of exporting district) Note - 1. In case of Ex-State transport by rail one copy of this permit shall be issued to the exporter, which shall be cancelled immediately after the rice is loaded, mentioning the wagon No. R.R.No. quantity, date and destination there on. The second copy shall be sent to the Collector of the importing District and the third copy shall be retained in the office of issue.

2. In case of Ex-State transport by road, one copy shall be sent to the Collector of the District where the border check-post is located and one copy (original) shall be issued to the exporter. The exporter shall surrender his original copy at the check-post where the Officer-in-charge of the check-post will endorse the time and date of departure from him check-post on the permit, cancel it and send the same to his District Collector for deposit within 48 hours. One copy of the permit shall be "sent to the Collector of the importing District and one copy shall be retained in the office of issue.

Annexure-10 Form - J Office of the Collector..... (District) D.O..... (Sub-division)..... Permit for sale and movement of paddy (Clause-10)

1. Shri/Messers.....(Name of the Miller or Dealer) is/are permitted to sell or otherwise dispose of.....quintals of paddy.

2. Shri/Messers.....(Name of the Miller or Dealer) is/are permitted to transport..... quintals of paddy from the Mill premises/Dealer's business premises to..... (name of the place) in.....(Name of the District).....

3. Shri.....(Name of the producer) of.....(Name of village).....(Name of the Police Station).....(Name of the district) is allowed to transport..... quintals of paddy from.....(Name of the despatching point) to.....(destination point) in.....(Name of the District).....of.....(Name of the State):

Date Signature of the Collector/S.D.O. Annexure-11 Form-K [Clause 18(1)] Register of Levy Paid Certificates issued by the Purchase Officer of the F.C.I./Apex in respect of Rice Month..... Centre..... District.....

Book No and Sl. No. with date	Name of the Miller/ Dealer and his food grains licence No.	Stocks as per Account Book on the date of issue of levy paid certificate	Quantity of levy rice realised	Quantity for which levy paid certificate issued
1	2	3	4	5

Date of disposal of stocks	Quantity disposed	Quantity of levy paid stock transferred from other district/ State	Quantity of levy paid stock received from other district/ State	Balance levy paid stock with dealer/ miller
6	7	8	9	10

Total :-Note-1. Cols. 1 to 5 shall be filled on the basis of the copies of the levy certificate issued by the Purchase Officer.

2. Cols. 6 to 9 shall be filled in the basis of the fort lightly returns of dealers/millers and reports of Enforcement Officer.

3. Under Cols. 3 and 9 the names of the District/State should be mentioned.

4. Separate pages should be allotted to different centres.

5. The totals for Quantity released in levy, and quantity levied by levy paid certificates shown in this register should agree with the monthly return to be submitted by the Agent to the Collector.

Form-1 Register of Transit permits for inter-district movement of rice

Sl. No.	Name of the Miller/ Dealer	Food grains licence No.	Levy paid certificate No.	Quantity of rice paid as levy	Quantity covered by the transit permit	No. and date of transit permit	Name of the district to which the rice istransported	Signature of Officer issuing transit permit
1	2	3	4	5	6	7	8	9

Form-2 Register of Transit permits issued for export out of the State

Sl. No.	Name of the exporter	Food grains licence No.	Levy paid certificate No.	Quantity of rice paid as levy	No. and date of transit permit and quantity covered by it
1	2	3	4	5	6

By road or by rail	Details of wagon No. R.R. No. date and quantity	In case of road transport, name of bordercheck-post, truck No. date of transit and quantity exported	Signature of Officer issuing the transit permit
7	8	9	10

Form-3[Clause 18(2)]Monthly return of levy paid certificate for the month of.....District.....

Centre Book No. and Sl. No. with dates of levy paidcertificates	Name of the Miller/ Dealer with food	Stock as per accounts book on the date of issueof levy paid	Quantity realised as levy	Date of intimation of issue of levy paidcertificate to	Remarks
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		grains licence	certificates			the Collector
		number				
1	2	3	4	5	6	7

[Food and Civil Supplies Department] [Published in the Orissa Gazette Extraordinary No. 1697 dated 25.11.1982.] Notifications S.R.O. No. 819/82 The 24th November, 1982. - In pursuance of Clause 2(o) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, the Director of Food Supplies, Orissa has been pleased to prescribe the Forms 'A' to 'K' as per Annexures 1 to 11. [Food And Civil Supplies Department] [Published in the Orissa Gazette Extraordinary No. 13 dated 5.1.1983.] No. 30722 The 5th November, 1982. - The State Government do hereby appoint the following Officers to exercise the powers and discharge functions of an Enforcement Officer, as defined in Clause 2(e) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, for the purpose of Clause 13 of the said Order, within their respective areas of jurisdiction. (1) All Police Officers of and above the rank of S.I. of Police. (2) All Officers of the State Vigilance Department of and above the rank of Sub-Inspector. Food And Civil Supplies Department No. PLIC-43/82-34868 The 18th December, 1982 - By virtue of powers vested under Clause 20 of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, the State Government have been pleased to exempt the Millers from the operation of the provision made in the first proviso to Clause 3(1) of the aforesaid order, in respect of the rice mills (hullers and hullers-cum-Sellers) for which the millers concerned have not taken license and permits under Clauses 3 and 11 of the Orissa Rice and Paddy Control Order, 1965. [Food And Civil Supplies Department] [Published in the Orissa Gazette Extraordinary No. 181 dated 11.2.1983.] No 33323 The 6th December, 1982. - In continuation of this Department Notification No. 30716, dated the 5th November, 1982, the State Government have been pleased to further appoint the Assistant Civil Supplies Officers and Assistant Civil Supplies Officers-cum-Assistant District Managers Orissa State Civil Supplies Corporation, to exercise the powers and discharge the functions of the Enforcement Officer as defined in Clause 2(e) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, for all the purposes of the said order. [Food and Civil Supplies Department] [Published in the Orissa Gazette Extraordinary No: 12 dated 5.1.1983.] No. 30716-PL-IC-43/82.F The 5th November, 1981. - The State Government do hereby appoint the following Officers to exercise the powers and discharge function of the Enforcement Officer, as defined in Clause 2(e) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982 within their respective areas of jurisdiction, for all the purpose of the said order. (1) Civil Supplies Officers. (2) Civil Supplies Officers-cum-District Managers, State Civil Supplies Corporation. (3) Additional C.S.Os. (4) Additional Civil Supplies Officers-cum-Additional District Managers, Orissa State Civil Supplies Corporation. (5) All Supervisors of Supplies. (6) All Unit Officers of the Orissa State Civil Supplies Corporation. (7) All Inspectors of Supplies. (8) All Marketing Inspectors of the Orissa State Civil Supplies Corporation. (9) All Sub-divisional Officers. (10) All Executive Magistrate. Food And Civil Supplies Departments No. 32053 The 22nd November, 1982. - In pursuance of Sub-clause (a) of Clause 2 the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, the State Government have been pleased to appoint the Orissa State Co-operative Marketing Federation as the Agent of the State Government. Food And Civil Supplies Department No. 28537 The 15th July, 1983. - The State Government do hereby authorise the

following officers to exercise the powers and discharge function of the Enforcement Officers, as defined in Clause 2(e) of the Orissa Rice and Paddy Procurements (Levy) and Restriction on Sale and Movement Order, 1982, within their respective areas of jurisdiction.

1. Market Intelligence Officer.

2. Market Intelligence Supervisor

3. Market Intelligence Inspector.

Food And Civil Supplies Department No. 35740 The 23rd December 1986. - The State Government do hereby authorise the Assistant Director, Quality Control, Food and Civil Supplies Department to exercise the powers and discharge the functions of the Enforcement Officer as defined in Clause 2(e) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982 within the State of Orissa. Food And Civil Supplies Department No. 16059 The 27th June, 1987 - The State Government do hereby authorise the following officers of food and Civil Supplies Department to exercise the powers and discharge the functions the Enforcement Officer, as defined in Clause 2(e) of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982 within the whole of the State of Orissa.

1. Deputy Director (Market Intelligence)

2. Assistant Director (Market Intelligence)

Government Instruction Regarding Allegation of Harassment to Producers (Cultivators) during Movement of Stocks inside the State, issued to all Collectors (vide Government, in F.S. and C.W. Department letter No. 3211 (30) dated 24.1.1994) I am directed to say that it has come to the notice of Government that cultivators in some areas are being subjected to harassment by the enforcement staff of the Civil Supplies and Police Department while moving stocks to different parts of the State for disposal. As you are aware, there is no restriction on movement of paddy and rice by the Producers (cultivators) within the State. The Producers (cultivators) are even allowed to move out their paddy outside the State. Neither the Rice and Paddy Control Order nor the Rice and Paddy Procurement (Levy) and Restrictions on Sale and Movement Order requires any permit for such movement of stocks by the Producers. Law has given full scope to the cultivators to sell their rice and paddy in any place of the State and also to move out their paddy to any place outside the State. This has been allowed to provide scope to the cultivators to get the best price they can have for their produce. It is therefore, necessary that, in order to achieve this objective, detention of vehicles carrying paddy and rice of cultivators should not take place anywhere in the State. Since law does not require the producer-cultivators to have a permit to carry his own produce, the claim advanced to the said effect is prima facie acceptable unless there are reasons to disbelieve such contention. It would, therefore, be appropriate not to detain and seize stocks claimed to be the own produce of the cultivators during movement inside the State. However, if it is felt necessary to make further verification, the statement of the person claiming to be the cultivator and transporting the stock

driver of the vehicle may be recorded with regard to the ownership of the stock and the detailed particulars about the owner. If subsequent verification reveals that claim was not true and there was any violation of the Control Order, further action may be initiated as per law. Of course, if there is any strong reason to believe that paddy and rice are being transported in violation of the Control Order, detention and seizure should be warranted. In this context, it may also be pertinent to mention that a number of Supply check-gates and check posts (other than Unified check gates) have been set up at various places within the State. Since there is no restriction, whatsoever, on movement of stocks within the State, necessity of such check gates and check posts does not seem to be justified. You may, therefore, review the situation forthwith and consider withdrawal of the staff deployed in these check gates and check posts for more fruitful use in supervision of PDS and Enforcement measures. Necessary instructions may be issued to the subordinate District Functionaries so that the genuine cultivators are not put to harassment on flimsy grounds. Government of Orissa Food Supplies & Consumer Welfare Department No. PL..IP.10/97. 33/64/(30) Bhubaneswar, dated 22.12.1999 From Shri Yudhistir Rouf, Dy. Director of Food Supplies. To All Collectors. Sub :- Enforcement of quality of gunnies for procurement. Sir, I am directed to say that it is brought to the notice of Government of India that many of the rice Millers are supplying bags containing lesser tare weight and in some cases 2 lbs gunnies. It is therefore requested to ensure that the Millers should deliver levy rice only in new B.Twill gunnies of following BIS specification.

95. Kg capacity - 112 cm x 67.5 cm x 1021 gms.

50. Kg capacity - 94 cm x 57 cm x 665 gms.

Government of Orissa Food, Supplies & Consumer Welfare Department NO.PL-IC-58/99 (pt i) 4790 Bhubaneswar, dated the 4-2.2000 Order In exercise of the powers conferred by the Second provision to Sub-clause (1) of Clause 11 of the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order, 1982, the State Government do hereby determine that the capacity of gunnies, wherein the levy rice shall be delivered by the Millers to the Food Corporation of India, shall be 50 (Fifty) Kilograms. By order of the Governor Jogendra Patra Commissioner-cum-Secretary to Government. Government Of Orissa Food, Supplies and Consumer Welfare Department Order NO.PL.IC.62/99/6221 Bhubaneswar, dated the 25.2.2000 In exercise of the powers conferred by Clause 13 of the Orissa Rice and Paddy Control Order, 1965, the State Government do hereby direct that the licensees who have been granted licence, at State level under Clause 4 of the said order to purchase paddy from different districts in the State shall, (i) Purchase paddy from the market yards and sub-yards where such facilities are available and where no such facility is available, from other place(s) decided by the Collector(s) concerned; and (ii) maintain a separate register of daily accounts of paddy so purchased from each district showing therein correctly the place of purchase, the name(s) and address of the person (s) from whom purchased, the quantity, the variety and the price of paddy purchased, total amount paid and the number and date of vendor receipt so granted, and shall furnish a copy of the said daily account on the date of purchase to the Collector of the district with (n) whose local jurisdiction the paddy is purchased, besides any other register/accounts as prescribed in the Orissa Rice and Paddy Control Order, 1965 and the Orissa Rice and Paddy Procurement (Levy) and Restriction on Sale and Movement Order,

1982.By Order of the GovernorJogendra Patra Commissioner-cum-Secretary to Government.