

The Southern State (Regulation of Export of Rice) Order, 1964

UNION OF INDIA

India

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Rule

THE-SOUTHERN-STATE-REGULATION-OF-EXPORT-OF-RICE-ORDER of 1964

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The Southern State (Regulation of Export of Rice) Order, 1964 Repealed by G.S.R. 424, dated 18th March, 1966 and published only for the reader's knowledge. In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:

1. Short title, extent and commencement. -

(1) This Order may be called the Southern States (Regulation of Export of Rice) Order, 1964. (2) It extends to the States of Andhra Pradesh, Kerala, [Tamil Nadu and Karnataka] [Substituted by G.S.R. 219 (E), dated 10th May, 1974.] and the Union Territory of Pondicherry. (3) It shall come into force at once.

2. Definitions. -

In this Order, - (a) "export" means to take or cause to be taken, by any means whatsoever, from any place within a specified area to any place outside it; (b) "rice" includes broken rice and paddy [and products of rice or paddy other than bran or husk] [Inserted by G.S.R. 214-A, dated 3rd February, 1965, published in the Gazette of India Extraordinary, Part II, Section 3(i), dated 3rd February, 1965.]; (c) "specified area" means any of the following areas namely: (i) The State of Andhra Pradesh and the area comprising Yanam in the Union Territory of Pondicherry. (ii) The State of Kerala and the area comprising Mahe in the Union Territory of Pondicherry. (iii) The State of [Tamil Nadu] [Substituted by G.S.R. 219(E), dated 10th May, 1974.] and the area comprising Pondicherry and Karaikal in the Union Territory of Pondicherry. (iv) the State of [Karnataka] [Substituted by G.S.R. 219(E), dated 10th May, 1974.]; (d) "State Government: in relation to the export of rice - (i) from any

place within a State, means the Government of that State;(ii)from any place within any part of the Union Territory of Pondicherry, means the Lieutenant-Governor of that territory.

3. [Restrictions on export of rice from specified area. - No person shall export or attempt to export or abet the export of rice from any place within a specified area a place outside that area except under, and in accordance with, a permit issued by -

(i)the Central Government or by an officer authorized by it in this behalf; or(ii)the State Government concerned or by an officer authorized in this behalf by that Government subject to the condition that such exports under permits shall be regulated in accordance with such directions as may be issued by the Central Government in this behalf from time to time.]

**3A. [Restriction on transport of rice to, from or within the border area]
[Inserted by G.S.R. 214-A, dated 3rd February, 1965, published in the Gazette of India Extraordinary Part II, Section 3 (i), dated 3rd February, 1965 and further substituted by G.S.R. 219(E), dated 10th May, 1974.]. - No person shall transport, attempt to transport or abet the transport of rice -**

(a)to any place in the border area from any place outside that area; or(b)from any place in the border area to any place outside that area; or(c)from any place in the border area to any other place in that area; except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in this behalf;Provided that nothing contained herein shall apply to the transport of rice-(i)on Government account;(ii)under and in accordance with Military Credit Notes;(iii)by or on behalf of the Food Corporation of India established under Section 3 of the Food Corporations Act, 1964 (37 of 1964);(iv)within the same town or village in the border area;(v)from a village in the border area to the nearest grain market (mandi) in the "specified area" whether such market (mandi)is within or outside the border area;(vi)not exceeding [five kilograms] [Substituted by G.S.R. 23(E), dated 30th January, 1975.] in weight in the aggregate by a bona fide traveller as part of his luggage;(vii)being received as gift under the Indo-U.S. Agreement on Relief Supplies, 1968;(viii)[not exceeding twenty kilograms in weight in the aggregate at one time by a bona fide resident of the border areas for domestic consumption.] [Inserted by G.S.R. 23(E), dated 30th January, 1975.]Explanation I.- For the purposes of this clause "border area" means-(i)the area within the ten-mile belt inside the specified area referred to in item (i) of sub-clause (c) of Clause 2 and adjoining another specified area;(ii)the area within the five-mile belt inside a specified area other than the specified area referred to in item (i) in sub-clause (c) of Clause 2 and adjoining another specified area.Explanation II.- In the specified area referred to in item (iii) of sub-clause (c) of Clause 2, border area includes all villages that lie only partly in that area.

4. Exemptions.

- Nothing contained in Clause 3 shall apply to the export of rice-(i)on Government account; or(ii)under and in accordance with Military Credit Notes; or(iii)not exceeding [five kilograms] [Substituted by G.S.R. 23(E), dated 30th January, 1975.] in the aggregate by a bona fide traveller as part of his luggage;(iv)being the whole or part of produce of land cultivated or owned by a person for his domestic consumption in a place outside the specified area under and in accordance with an appropriate permit granted by the competent authority; or[* * * *] [Clause 4, Item (v) omitted by G.S.R. 219(E). dated 10th May, 1974.](v)[] [Renumbered by G.S.R. 219(E), dated 10th May, 1974.] by or on behalf of the Food Corporation of India established under Section 3 of the Food Corporations Act, 1964 (37 of 1964).

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

(1)Any police officer not below the rank of a head constable or any other person authorised in this behalf by the Central Government or by the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,-(a)stop and search, or authorise any person to stop and search any person or any boat, motor or other vehicle or any receptable used or intended to be used for the export of rice;(b)enter and search or authorise any person to enter and search any place;(c)seize or authorise the seizure of any rice in respect of which he [has reason to believe] [Substituted by G.S.R. 219(E), dated 10th May, 1974.] that any provision of this order has been , is being or is about to be contravened along with the packages, coverings, or receptacles in which rice is found, or the animals, vehicles, vessels, boats or other conveyances 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 [(5 of 1898)] [Now See Section 100 of the Criminal Procedure Code, 1973 (2 of 1974).] relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

5A. [Establishment of check-post or barrier and inspection of rice while in transit. - (1) With a view to preventing the smuggling of rice or to the proper enforcement of this Order, in any place or places in any area to which this order extends, the State Government may by notification direct the setting up of a check-post or the erection of a barrier, or both at such places as may be notified.

(2)At every check-post or barrier mentioned in sub-clause (1) or at any other place when so required by an officer empowered by the State Government in this behalf, the driver or any other person in charge of a goods vehicle or boat shall stop the vehicle or boat, as the case may be, and keep it stationary as long as may reasonably be necessary, and allow the officer in charge of the check-post or the barrier or the officer empowered as aforesaid to examine the contents in the vehicle or boat and inspect all records relating to the rice which is in the possession or custody of such driver or other person in charge, who shall, if so required by the said officer, give his name and address and the name and address of the owner of the vehicle or boat and the full particulars of the owner of any

rice stock round in his possession or custody.(3)If any rice which is under transport by a goods vehicle or boat is not covered by a permit issued by a competent authority, the officer in charge of the check-post or the barrier or the office empowered under sub-clause (2) shall have the power to seize the rice and take such further measures as are considered necessary by him in accordance with the provisions of Section 102 of the Code of Criminal Procedure, 1898 [(5 of 1898)] [Inserted by G.S.R. 218, dated the 8th February, 1965, published in the Gazette of India, Extraordinary, Part II, Section 3(i), dated 8th February, 1965.] [Substituted by G.S.R. 1228, dated 25th August, 1970.]

6. Effect of Order.

- The provisions of this Order shall be in addition to the provisions of the Rice (Southern Zone) Movement Control Order, 1957.