

Chemical Fertilizers (Control of Distribution) Order, 1951

GN No. 99 of 1951

Order made by the Competent Authority under Regulation 50 of the Defence (General) Regulations, 1939, for regulating the distribution and purchase of Chemical Fertilizers

1. This Order may be cited as the Chemical Fertilizers (Control of Distribution) Order, 1951.

2. In this Order, unless the context otherwise requires:

"Controller" means the Controller of Supplies or any Officer deputed by him to act on his behalf.

"Chemical Fertilizers" means any fertilizers of a nitrogenous or potash character, and shall include Sulphate of Ammonia, Ammonium Chloride, Nitrate of Soda, Chilean Nitrate of Potash, Nitrate of Potash, Sulphate of Potash, Indian Nitrate of Potash and any other Fertilizer of a nitrogenous or potash character which may become available.

"Manager" means the manager of any estate engaged in the manufacture of cane sugar.

"Ordinance" means the Sale of Canes (Control) Ordinance, 1941, as subsequently amended.

"Planter" has the same meaning as in the Ordinance.

3. (I) Every Manager wishing to purchase or acquire any Chemical Fertilizers for the period commencing 4th June, 1951, and ending on the 3rd June, 1952, shall on or before the 2nd July, 1951, forward an application in writing in that behalf to the Officer-in-Charge of Fertilizers, Supplies Control Department, Port Louis.

Such application shall be accompanied by a statement showing the area in arpents under cane cultivation on 1st June, 1951.

(2) Any Manager furnishing any false particulars in such statement shall be deemed to be guilty of an offence under the Defence (General) Regulations, 1939.

4. (I) Every planter wishing to purchase or acquire any Chemical Fertilizers for the period mentioned in the preceding Article shall on or before the 15th June, 1951, forward to the Manager of the Estate to which the canes of such planter shall have been assigned under the provisions of the Ordinance an application in writing in that behalf. In the case of planters who are unable to write, the planter may be allowed to make a verbal application

but he must place his mark against the written statement prepared by the Manager or his Agent. Such application shall be accompanied by a statement set out in Form A of the Schedule to this Order showing:-

(a) The area in arpents of land cultivated under cane by such planter on 1st June, 1951.

(b) Whether he intends purchasing or acquiring such Chemical Fertilize from such estate, a middleman or an importer or his agent, as the case may be.

(2) Any planter furnishing any false particulars in any statement made under the foregoing paragraph shall be deemed to be guilty of an offence under the Defence (General) Regulations, 1939.

(3) Upon receipt of such applications, the Manager shall draw up in duplicate :-

(a) A list of such planters as may wish to purchase or acquire Chemical Fertilizers from the estate ;

(b) A list of such planters as may wish to purchase or acquire Chemical Fertilizers from any middleman;

Provided that a separate list shall be drawn up in respect of each middleman.

(c) A list of such planters as may wish to purchase or acquire Chemical Fertilizers from any importer or his agent; and shall, on or before the 2nd July, 1951, transmit to the Officer-in-Charge of Fertilizers, Supplies Control Department, Port Louis, the applications, statement and the copies of each of the lists aforementioned with a statement to the effect that the areas given by the several planters in their applications are correct together with such observations as he may think fit.

(d) Any Manager failing to comply with the provisions of the preceding paragraph shall be deemed to be guilty of an offence under the Defence (General) Regulations, 1930.

5. (I) After the receipt of any application made tinder Article 3 or Article 4 of this Order, the Officer-in-Charge of Fertilizers, Supplies Control Department, Port Louis, shall, at such time or times as he shall decide, issue a card in the Form B set out in the Schedule to this Order to every Manager, Planter or Middleman, as the case may be, showing the amount of Chemical Fertilizers allotted to each of them and entitling them to purchase or acquire such Chemical Fertilizers.

(2) Only one card shall be issued:

- (a) to any Manager, in respect of the total amount of Chemical Fertilizers required by such Manager;
- (b) to any Manager, in respect of the total amount of Chemical Fertilizers required by such Manager for such planters as may have expressed the intention of being supplied with such fertilizers through such Manager;
- (c) to any Middleman in respect of the total amount of Chemical Fertilizers required by such planters as may have expressed the intention of being supplied with such fertilizers through such Middleman.

(3) Any card issued under the provisions of the preceding paragraph shall:-

- (a) bear the total amount of Chemical Fertilizers allotted on such card;
- (b) be accompanied by a statement showing the total amount of Chemical Fertilizers allotted to any planter.

(4) Any Manager or Middleman to whom any card shall have been issued under the provisions of paragraph (2) of this Article shall not deliver to any planter any Chemical Fertilizers otherwise than in the proportional quantities allotted on such statement to any such planter.

(5) The name of the factory area in which the land belonging to the planter to whom the card has been issued is situated.

(6) The category of the estate or planter's lands in connection with the rationing of potash fertilizers.

6. The Controller shall, from time to time, cause to be published in the Gazette a notice specifying such percentage of the total amount of Chemical Fertilizers allotted to each estate, middleman or planter on any card issued under the provisions of this Order as may be purchased or acquired by any such estate, middleman or planter during the period specified in the aforesaid notice.

7. (1) No importer of Chemical Fertilizers shall sell or deliver any Chemical Fertilizers to any estate or person unless a card issued under the provisions of this Order is produced in that behalf by such estate or person or any agents thereof.

(2) Upon the production of such card the Importer shall make an entry in ink on the reverse side of such card of the date of delivery and the quantity of fertilizer supplied at the time when such delivery was made and shall sign such entry.

(3) No Chemical Fertilizer shall be sold or delivered by any Importer under this Article

(a) in any quantity exceeding such percentage as may be prescribed by notice in the Gazette of the total amount which such estate or person may be authorised to purchase or acquire;

(b) after the expiry of the period specified in such notice.

8. No special allocations for potash fertilizers will be made but as and when potash fertilizers become available, notices will be published in the Gazette authorising the purchase of quantities of such fertilizers by estates and planters on the basis of a certain percentage of the allotment of nitrogen fertilizers.

9. (1) Every Manager, Middleman or Importer shall keep a registers in the form C of the Schedule to this Order, in which shall be entered at the time of sale or delivery of any Chemical Fertilizers the following particulars, namely:-

(a) The quantity of Chemical Fertilizers sold or delivered;

(b) the date of the sale or delivery ;

(c) the name of the person to whom or estate to which the sale or delivery shall have been made ;

(d) the serial number of the allotment card issued to such person or estate.

(2) Such register shall be produced for inspection whenever required by the Controller.

10. No Chemical Fertilizer shall be sold or delivered to any estate or person except in accordance with the provisions of this Order notwithstanding anything inconsistent therewith in any Contract or agreement in force:

Provided that the Controller may authorise the sale and delivery of any Chemical Fertilizers in such quantities and subject to such conditions as he may think fit for the cultivation of food-plants or tobacco.

11. This Order shall come into force on the 4th June, 1951.

SCHEDULE
FORM A

Name	Address	Area under cane cultivation	Name of person supplying fertilizers

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FORM B
1951-52 CROP--VALID To 3RD JUNE, 1952
Allotment Card

Factory AreaCategory
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For regulating the distribution and Purchase of Chemical Fertilizers
(Issued under Government Notice No of 1951)

Name

Total amount of Chemical Fertilizers allotted to holder:-

Nitrogenous Fertilizers		Potassic Fertilizers	
Tons	Kilos	Tons	Kilos
.....TonsKilosTonsKilos

N.B. (1) Notices will be inserted in the Government Gazette as stocks of Chemical Fertilizers become available stating the proportion of the total amount which is available for purchase.

(2) This card shall be produced to the supplier each time a supply of Chemical Fertilizers is required. The supplier shall fill in the appropriate columns the date of supply, quantity supplied, the total quantity supplied to date to the purchaser and shall sign such entries. Any such entries shall be endorsed in ink on the reverse side.

(3) Great care should be taken not to lose this Card as without it no Chemical Fertilizers can be obtained.

(4) When Nitrate of Potash is supplied, the entries must be made on the reverse side under both Nitrogenous and Potash Fertilizers,

Reverse Side

FORM B
1951-52 CROP-VALID TO 3RD JUNE, 1952
Quantities Supplied
Nitrogenous Fertilizers

Date	Quantity	Total quantity supplied up to date	Signature of Seller

Potassic Fertilizers

Date	Quantity	Total quantity supplied up to date	Signature of Seller

FORM C
REGISTER OF SALES AND DELIVERIES OF CHEMICAL FERTILIZERS FOR THE
PERIOD 4TH JUNE, 1951 TO 3RD JUNE, 1952

Date of sale or delivery	To whom sold or delivered	Serial number of allotment card	Quantity of chemical fertilizers sold or delivered