



GOVERNMENT OF GUJARAT

COMPILATION

OF

Essential Commodities Act, 1955

And

State Government's Statutory Orders Made Thereunder

**FOOD, CIVIL SUPPLIES AND CONSUMER
AFFAIRS DEPARTMENT**

Sachivalaya, Gandhinagar.

(As Amended upto 30th November, 1999.)



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THE GOVERNMENT OF GUJARAT, 1954

PREFACE

The Central Government has issued various Orders from time to time under section 3 of the Essential Commodities Act, 1955. At the same time various Control Orders are issued by the State Government under section 3 of the Essential Commodities Act, 1955. The two major Control Orders issued by the State Government are the Gujarat Essential Articles (Licensing, Control and stock Declaration) Order, 1981 and the Gujarat Essential Articles Dealers (Regulation) Order, 1977.

The scope of this booklet has been restricted to a compilation of the major orders made by the State Government under the Essential Commodities Act, 1955.

Every sincere effort has been made to achieve correctness in compiling and publishing this booklet. However, in case of doubt and for the purpose of legal authority, a reference should be made to the original Act or Orders, as published in the Government Gazette from time to time.

It is hoped that this compilation would facilitate quick and correct access to statutory provisions and add to the convenience of the officers and staff of the State Government and of the public associated with the law relating to essential Commodities.

We would appreciate if any error or omission in this compilation brought to the notice of the Department.

Narendra Modi
Chief minister
Government of Gujarat,
Sachivalaya, Gandhinagar.

H. K. Dash
Secretary to
Government of Gujarat,
Food, Civil Supplies &
Consumer Affairs Department,
Sachivalaya, Gandhinagar.

Bharat Barot
Minister of State
Food, Civil Supplies and
Consumer Affairs,
(Independent Charge)
Government of Gujarat,
Sachivalaya, Gandhinagar.

H. B. Varia
Director of Civil Supplies &
Addl. Secretary,
Food, Civil Supplies and
Consumer Affairs Department,
Sachivalaya, Gandhinagar.

2.	Orders of the Central Government delegating powers to the State Government under section 5 of the aforesaid Act.	15
3.	Gujarat Essential Articles (Licensing, Control and stock Declaration) Order, 1981.	21
4.	Major Orders made under the provisions of the aforesaid Order, which are currently in force.	49
i)	Order dated 12-11-1981 appointing officers as 'licensing authority'.	51
ii)	Order dated 8-1-1982 delegating powers to Food & Civil Supplies Controller, Ahmedabad.	51
iii)	Order dated 28-7-1998 appointing Director of Civil Supplies as appellate authority.	52
iv)	Order dated 6-5-1994 exempting persons who import sugar under OGL from obtaining wholesale dealers license.	53
v)	Order dated 30-4-1999 exempting "huller" from obtaining license.	53
vi)	Order dated 6-4-1999 exempting dealer in petrol & diesel from the requirement of displaying the daily opening stock etc.	53
vii)	Order dated 6-4-1999 exempting product from the provision of Clause 16.	54
viii)	Order dated 6-4-1999 exempting dealer in petrol, HSD & LDO from the provision of Clause 17 (1)	54
ix)	Order dated 7-5-1999 exempting dealer from the operation of Clauses 18 (3)(i) & (ii).	55
x)	Order dated 21-9-1999 issuing directions regarding hot plate (Store)	55
xi)	Order dated 27-11-1999 regarding inter-se transactions.	56
xii)	Order dated 23-5-1999 regarding inter-se transactions (Amendment).	56
xiii)	Order dated 21-4-1992 requirement maintenance of separate accounts and separate accounts and separate stock registers for each branch of edible oil, etc.	57
xiv)	Order dated 14-8-1998 regarding limits on stock held by producers and dealers of edible oilseeds and edible oils.	57
xv)	Notification dated 4-12-1995 specifying petroleum hydrocarbon solvent as a petroleum.	60
xvi)	Order dated 14-12-1998 requiring producers and dealers of petroleum hydrocarbon solvents to obtain certificate from Forensic science Laboratory, Ahmedabad, etc.	60

Sr.No.	PARTICULARS	PAGE NO.
xvii)	Order dated 5-7-1996 requiring dealers in petrol and diesel to certify accounts every 15 days etc.	61
xviii)	Order dated 11-6-1998 specifying minimum time period for keeping of documents.	61
xix)	Order dated 9-6-1999 requiring dealers in petrol and diesel to certify accounts from testing, etc.	
5.	Gujarat Essential Articles Dealers (Regulation) 1977.	63
6.	Major Orders made under the provisions of the aforesaid Order, which are currently in force.	71
i)	Order dated 21-9-1977 appointing officers as 'competent authority' under clause.	73
ii)	Order dated 21-9-1977 giving exempting from clause 9.	73
iii)	Order dated 7-5-1999 giving exemption to dealers keeping stock below a certain limit from clause 9.	74
iv)	Order dated 11-2-1999 deleting certain items from the list of essential articles.	75
v)	Order dated 7-5-1999 deleting certain items the list of essential articles.	76
vi)	Order dated 31-7-1980 regarding LPG.	77
7.	Gujarat Catering Establishment (Display of Prices of Meals, Refreshment and Beverages) Order, 1975.	81
8.	Gujarat Foodstuffs (Regulation of Use of Disposal in Sacrifice) Order, 1969.	85
9.	Orders issued sometimes in exceptional circumstances.	89
1.	Gujarat Cattle Fooder (Inter-district Movement Restriction) Order. (Repealed). (Subject has been transferred to Agriculture Department)	91
2.	Gujarat Cuest Control Order (Repealed)	93
3.	Prior intimation Order in respect of edible oilseeds and edible oils.(Repealed)	99
4.	Profit margin Order (In English)	105
5.	Profit margin Order (In Gujarati)	

The Essential Commodities Act, 1955

Section

1. Short title and extent
 2. Definitions
 3. Powers to control production, supply, distribution, etc. of essential commodities
 4. Imposition of duties on State Government, etc.
 5. Delegation of Powers
 6. Effect of orders inconsistent with other enactments
 - 6-A. Confiscation of essential commodity
 - 6-B. Issue of show cause notice before confiscation of essential commodity
 - 6-C. Appeal
 - 6-D. Award of confiscation not to interfere with other punishments
 - 6-E. Bar of jurisdiction in certain cases
 7. Penalties
 - 7-A. Power of Central Government to recover certain amounts as arrears of land revenue
 8. Attempts and abetment
 9. False statement
 10. Offences by companies
 - 10-A. Offences to be cognisable and bailable
 - 10-B. Power of court to publish name, place of business, etc. of companies convicted under the Act
 - 10-C. Presumption of culpable mental state
 11. Cognisance of offences
 12. Special provision regarding fine
 - 12-A. Power to try summarily
 - 12-B. Grant of injunction, etc. by civil courts
 13. Presumption as to order
 14. Burden of proof in certain cases
 15. Protection of action taken under Act
 - 15-A. Prosecution of public servants
 16. repeal and saving
-

THE ESSENTIAL COMMODITIES ACT, 1955

(ACT NO. 10 OF 1955)

An Act to provide, in the interests of the general public, for the control of the production, supply and distribution of, and trade and commerce in, certain commodities.

Be it enacted by Parliament in the Sixth Year of the Republic of India as follows :

1. Short title and extent

(1) This Act may be called the Essential Commodities Act, 1955.

(2) It extends to the whole of India.

2. Definitions

In this Act, unless the context otherwise requires,—

(ia) “Collector” includes an Additional Collector and such other officer, not below the rank of Sub-Divisional officer, as may be authorised by the Collector to perform the functions and exercise the powers of the collector under this Act;

(a) “essential commodity” means any of the following classes of commodities—

- (i) cattle fodder, including oil-cakes and other concentrates;
- (ii) coal, including coke and other derivatives;
- (iii) component parts and accessories of automobiles;
- (iv) cotton and woollen textile;
- (iva) drugs;

Explanation—In this sub-clause, “drugs” has the meaning assigned to it in clause (b) of section 3 of Drugs and Cosmetics Act, 1940 (23 of 1940).

- (v) foodstuff, including edible oil-seeds and oil;
- (vi) iron and steel, including manufactured products of iron and steel;
- (vii) paper, including newsprint, paperboard and strawboard;
- (viii) petroleum and petroleum products;
- (ix) raw cotton, whether ginned or unginned, and cottonseed;
- (x) raw jute;
- (xi) any other class of commodity which the Central Government may, by notified order, declare to be an essential commodity for the purpose of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of Entry 33 in List III in the seventh Schedule to the Constitution;

Note : A list of commodities declared by the Central Government to be an essential commodity is given on page -

- (b) “food-crop” include crops of sugarcane;
- (c) “notified order” means an order notified in the official gazette;
- (cc) “order” includes a direction issued thereunder;
- (d) “State Government” in relation to a Union territory, means the administrator thereof;
- (e) “Sugar” means -
 - (i) any form of sugar containing more than ninety per cent of sucrose, including sugar-candy;
 - (ii) khandsari sugar or bura sugar or crushed sugar or any sugar in crystalline or powdered form; or
 - (iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.

3. Powers to control production, supply, distribution, etc., of essential commodities.

(1) If the Central Government is of opinion that it is necessary or expedient so to do for maintaining or increasing supplies of any essential commodity or for securing their equitable distribution and availability at fair prices, or for securing any essential commodity for the defence of India or the efficient conduct of military operations, it may by order, provide for regulating or prohibiting the production, supply and distribution thereof and trade and commerce therein.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), an order made thereunder may provide -

- (a) for regulating by licence, permit or otherwise the production or manufacture of any essential commodity;
- (b) for bringing under cultivation any waste or arable land whether appurtenant to a building or not, for the growing thereon of food-crop generally, or of specified food-crops, and for otherwise maintaining or increasing the cultivation of food-crops generally, or of specified food-crops;
- (c) for controlling the price at which essential commodity may be bought or sold;
- (d) for regulating by licence, permit or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity;
- (e) for prohibiting the withholding from sale of any essential commodity ordinarily kept for sale;
- (f) for requiring any person holding in stock, or engaged in the production, or in the business of buying or selling, of any essential commodity, -
 - (a) to sell the whole or a specified part of the quantity held in stock or produced or received by him or
 - (b) in the case of any such commodity which is likely to be produced or received by him, to sell the whole or a specified part of such commodity when produced or received by him,

to the central Government or a State Government or to an officer or agent of such Government or to a Corporation owned or controlled by such Government or to such other person or class of persons and in such circumstances as may be specified in the order.

Explanation 1 : An order made under this clause in relation to foodgrains, edible oilseeds or edible oils, may have regard to the estimated production, in the concerned area, of such foodgrains, edible oilseeds and edible oils, fix the quantity to be sold by the producers in such area and may also fix or provide for the fixation of, such quantity on a graded basis, having regard to the aggregate of the area held by, or under the cultivation of, the producers.

Explanation 2 : For the purpose of this clause, "production" with its grammatical variation and cognate expressions includes manufacture of edible oils and sugar.

- (g) for regulating or prohibiting any class of commercial or financial transactions relating to foodstuffs or cotton textiles which, in the opinion of the authority making the order, are or if unregulated, are likely to be, detrimental to the public interest;
- (h) for collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters;
- (i) for requiring persons engaged in the production, supply or distribution of, or trade and commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in the order;

- (ii) for the grant or issue of licences, permits or other documents, the charging of fees therefor, the deposit of such sum, if any, as may be specified in the order as security for the due performance of the conditions of any such licence, permit or other document, the forfeiture of the sum so deposited or any part thereof for contravention of any such conditions, and the adjudication of such forfeiture by such authority as may be specified in the order.
- (j) for any incidental and supplementary matters, including in particular, the entry, search or examination of premises, aircraft, vessels, or other conveyances and animals, and the seizure by a person authorised to make such entry, search, or examination,—
 - (i) of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being, or is about to be, committed and any packages, coverings or receptacles in which such articles are found;
 - (ii) of any aircrafts, vessel, vehicle or other conveyance or animal used in carrying such articles, if such person has reason to believe that such aircraft, vessel, vehicle or other conveyance or animal is liable to be forfeited under the provisions of this Act;
 - (iii) of any books of accounts and documents which in the opinion of such person, may be useful for, or relevant to, any proceeding under this Act and the person from whose custody such books of accounts or documents are seized shall be entitled to make copies thereof or to take extracts therefrom in the presence of an officer having the custody of such books of accounts or documents;

(3) Where any person sells any essential commodity in compliance with an order made with reference to clause (f) of sub-section (2), there shall be paid to him the price thereof as hereinafter provided :

- (a) - where the price can, consistently with the controlled price, if any, fixed under this section, be agreed upon, the agreed price;
- (b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;
- (c) where neither clause (a) nor clause (b) applies, the price calculated at the market rate prevailing in the locality at the date of sale.
- (3A) (i) If the Central Government is of opinion that it is necessary so to do for controlling the rise in prices, or preventing the hoarding, of any foodstuff in any locality, it may, by notification in the official Gazette, direct that notwithstanding anything contained in sub-section (3), the price at which the foodstuff shall be sold in the locality in compliance with an order made with reference to clause (f) of sub-section (2) shall be regulated in accordance with the provisions of this sub-section.
- (ii) Any notification issued under this sub-section, shall remain in force for such period not exceeding three months as may be specified in the notification.
- (iii) Where, after the issue of a notification under this sub-section, any person sells foodstuff of the kind specified therein and in the locality so specified, in compliance with an order made with reference to clause (f) of sub-section (2), there shall be paid to the seller as the price therefor—
 - (a) where the price can, consistently with the controlled price of the foodstuff, if any, fixed under this section, be agreed upon, the agreed price;

- (b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;
- (c) where neither clause (a) nor clause (b) applies, the price calculated with reference to average market rate prevailing in the locality during the period of three months immediately preceding the date of the notification.
- (iv) For the purpose of sub-section (c) of clause (iii), the average market rate prevailing in the locality shall be determined by an officer authorised by the Central Government in this behalf, with reference to the prevailing market rates for which published figures are available in respect of that locality or of a neighbouring locality; and the average market rate so determined shall be final and shall not be called in question in any court.

(3B) Where any person is required, by an order made with reference to clause (f) of sub-section (2), to sell to the Central Government or State Government or to an officer or agent of such Government or to a corporation owned or controlled by such Government, any grade or variety of foodgrains, edible oilseeds or edible oils in relation to which no notification has been issued under sub-section (3A), or such notification having been issued has ceased to be in force, there shall be paid to the person concerned notwithstanding anything to the contrary contained in sub-section (3), an amount equal to the procurement price of such foodgrains, edible oilseeds or edible oils, as the case may be, specified by the State Government, with previous approval of the Central Government, having regard to—

- (a) the controlled price, if any fixed under this section or by or under any other law for the time being in force for such grade or variety of foodgrains, edible oilseeds or edible oils;
- (b) the general crop prospects;
- (c) the need for making such grade or variety of foodgrains, edible oilseeds or edible oils available at reasonable prices to the consumers, particularly the vulnerable sections of the consumers, and
- (d) the recommendations, if any, of the Agricultural Price Commission with regard to the price of the concerned grade or variety of foodgrains, edible oilseeds or edible oils.

(3C) Where any producer is required by an order made with reference to clause (f) of sub-section (2) to sell any kind of sugar (whether to the central Government or State Government or to an officer or agent of such Government or to any other person or class of person) and either no notification in respect of such sugar has been issued under sub-section (3A) or any such notification having been issued, has ceased to remain in force by efflux of time, then, notwithstanding anything contained in sub-section (3), there shall be paid to that producer an amount therefor which shall be calculated with reference to such price of sugar as the Central Government may, by order determine, having regard to—

- (a) the minimum price, if any, fixed for sugarcane by Central Government under this section;
- (b) the manufacturing cost of sugar;
- (c) the duty or tax, if any, paid or payable thereon; and
- (d) the securing of a reasonable return on the capital employed in the business of manufacturing sugar,

and different price may be determined from time to time for different areas or for different factories or for different kinds of sugar.

Explanation : For the purposes of this sub-section, “producer” means a person carrying on the business of manufacturing sugar.

(4) If the Central Government is of opinion that it is necessary so to do for maintaining or increasing the production and supply of an essential commodity, it may, by order, authorise any person (hereinafter referred to as an authorised controller) to exercise, with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be specified in the order such functions of control as may be provided therein and so long as such order is in force with respect to any undertaking or part thereof.

- (a) the authorised controller shall exercise his function in accordance with any instructions given to him by the Central Government, so, however, that he shall not have any power to give any direction inconsistent with the provisions of any enactment or any instrument determining the functions of the persons in charge of the management of the undertaking except in so far as may be specifically provided by the order, and
- (b) the undertaking or part shall be carried on in accordance with any directions given by the authorised controller under the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

(5) An order made under this section shall—

- (a) in the case of an order of a general nature or affecting a class of persons, be notified in the official Gazette; and
- (b) in the case of an order directed to a specified individual, be served on such individual—
 - (i) by delivering or tendering it to that individual, or
 - (ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of the premises in which that individual lives, and a written report thereof shall be prepared and witnessed by two persons living in the neighbourhood.

(6) Every order made under this section by the Central Government or by any officer or authority of the Central Government shall be laid before both Houses of parliament, as soon as may be, after it is made.

4. Imposition of duties on State Government, etc.

An order made under Section 3 may confer powers and impose duties upon the Central Government or the State Government or officers and authorities of the Central Government or State Government, and may contain directions to any State Government or to officers and authorities thereof as to the exercise of any such powers or the discharge of any such duties.

5. Delegation of Powers

The Central Government may, by notified order, direct that the power to make order or issue notification under section 3 shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by —

- (a) such officer or authority subordinate to the Central Government, or
- (b) such State Government or such officer or authority subordinate to a State Government, as may be specified in the direction.

Note : The orders of the Central Government delegating power to the State Government are given on pages.....

6. Effect of orders inconsistent with other enactments

Any order made under section 3 shall have effect notwithstanding anything inconsistent herewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

6-A. Confiscation of essential commodity

(1) Where any essential commodity is seized in pursuance of an order made under Section 3 in relation thereto, a report of such seizure shall, without unreasonable delay, be made to the Collector of the district or the Presidency town in which such essential commodity is seized and whether or not a prosecution is instituted for the contravention of such order, the Collector may, if he thinks it expedient so to do, direct the essential commodity so seized to be produced for inspection before him, and if he is satisfied that there has been a contravention of the order, may order confiscation of –

- (a) the essential commodity so seized,
- (b) any package, covering or receptacle in which such essential commodity is found, and
- (c) any animal, vehicle, vessel or other conveyance used in carrying such essential commodity;

PROVIDED that without prejudice to any action which may be taken under any other provision of the Act, no foodgrains or edible oilseeds seized in pursuance of an order made under section 3 in relation thereto from a producer shall, if the seized foodgrains or edible oilseeds have been produced by him, be confiscated under this section :

PROVIDED FURTHER that in the case of any animal, vehicle, vessel or other conveyance used for the carriage of goods or passengers for hire, the owner of such animal, vehicle, vessel or other conveyance shall be given an option to pay, in lieu of its confiscation, a fine not exceeding the market price at the date of seizure of the essential commodity sought to be carried by such animal, vehicle, vessel or other conveyance.

(2) Where the Collector, on receiving a report of seizure or on inspection of any essential commodity under sub-section (1), is of the opinion that the essential commodity is subject to speedy and natural decay or it is otherwise expedient in the public interest so to do, he may –

- (i) order the same to be sold at the controlled price, if any, fixed for such essential commodity under this Act or under any other law for the time being in force, or
- (ii) where no such price is fixed, order the same to be sold public auction :

PROVIDED that in case of foodgrains, the Collector may, for its equitable distribution and availability at fair prices, order the same to be sold through fair price shops at the price fixed by the Central Government of the State Government, as the case may be, for the retail sale of such foodgrains to the public.

(3) Where any essential commodity is sold, as aforesaid, the sale proceeds thereof, after deduction of the expenses of any such sale or auction or other incidental expenses relating thereto, shall –

- (a) where no order of confiscation is ultimately passed by the Collector,
- (b) where an order passed on appeal under sub-section (1) of Section 6C so requires, or
- (c) where in a prosecution instituted for the contravention of the order in respect of which an order or confiscation has been made under this section, the person concerned is acquitted, be paid to the owner thereof or the person from whom it is seized.

6-B. Issue of show cause notice before confiscation of essential commodity

(1) No order confiscating any essential commodity shall be made under section 6A unless the owner of such essential commodity, package, covering, receptacle, animal, vehicle, vessel or other conveyance or the person from whom it is seized –

- (a) is given a notice in writing informing him of the grounds on which it is proposed to confiscate the essential commodity, package, covering, receptacle, animal, vehicle, vessel or other conveyance;
- (b) is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the ground of confiscation and
- (c) is given a reasonable opportunity of being heard in the matter.

(2) Without prejudice to the provisions of sub-section (1), no order confiscating any animal, vehicle, vessel, or other conveyance shall be made under section 6A if the owner of the animal, vehicle, vessel or other conveyance proves to the satisfaction of the Collector that it was used in carrying the essential commodity without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the animal, vehicle, vessel or other Conveyance and that each of them had taken all reasonable and necessary precautions against such use.

(3) No order of confiscating any essential commodity, package, covering, receptacle, animal, vehicle, vessel or other conveyance shall be invalid merely by reason of any defect or irregularity in the notice given under clause (a) of sub-section (1), if, in giving such notice, the provisions of that clause have been substantially complied with.

6-C. Appeal

(1) Any person aggrieved by an order of confiscation under section 6A may, within one month from the date of the communication to him of such order appeal to any judicial authority appointed by the State Government concerned and the judicial authority shall, after giving an opportunity to the appellant to be heard, pass such order as it may think fit, confirming, modifying or annulling the order appealed against.

(2) Where an order under section 6A is modified or annulled by such judicial authority, or where in a prosecution instituted for the contravention of the order in respect of which an order of confiscation has been made under section 6A, the person concerned is acquitted, and in either case it is not possible for any reason to return the essential commodity seized, such persons shall, except as provided by sub-section (3) of section 6A be paid the price therefor as if the essential commodity had been sold to the Government with reasonable interest calculated from the day of the seizure of the essential commodity and such price shall be determined—

- (i) in the case of foodgrains, edible oilseeds or edible oils, in accordance with the provisions of sub-section (3B);
- (ii) in the case of sugar, in accordance with the provisions of sub-section (3C) of section 3, and
- (iii) in the case of any other essential commodity, in accordance with the provisions of sub-section (3) of section 3.

Note : Vide notification No. GK/39/ECA/1067/679/D dated 25-8-1967 of the Legal Department, the Government of Gujarat has appointed a Court of Session for every sessions division to be a judicial authority for the purpose of hearing appeals under this section.

6-D. Award of confiscation not to interfere with other punishments

The award of any confiscation under this Act by the Collector shall not prevent the infliction of any punishment to which the person affected thereby is liable under this Act.

6-E. Bar of jurisdiction in certain cases

Whenever any essential commodity is seized in pursuance of an order made under section 3 in relation thereto, or any package, covering or receptacle in which such essential commodity is found, or any animal, vehicle, vessel or other conveyance used in carrying such essential commodity is seized pending confiscation under section 6A, the Collector or, as the case may be, the State Government concerned under section 6C shall have, and, notwithstanding anything to the contrary contained in any other law for the time being in force, any court, tribunal or other authority shall not have jurisdiction to take orders with regards to the possession, delivery, disposal, release or distribution of such essential commodity, package, covering, receptacle, animal, vehicle, vessel, or other conveyance.

7. Penalties

(1) If any person contravenes any order made under section 3,—

(a) he shall be punishable—

- (i) in the case of an order made with reference to clause (h) or clause (i) of sub-section (2) of that section, with imprisonment for a term which may extend to one year and shall also be liable to fine, and
- (ii) in the case of any other order, with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall also be liable to fine :

PROVIDED that the court may, for any adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than three months,

- (b) any property in respect of which the order has been contravened shall be forfeited to the Government;
- (c) any package, covering or receptacle in which the property is found, any animal, vehicle, vessel or other conveyance used in carrying the property shall, if the court so orders, be forfeited to the Government.

(2) If any person to whom a direction is given under clause (b) of sub-section (4) of section 3 fails to comply with the direction, he shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall be liable to fine :

PROVIDED that the court may, for adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than three months.

(2A) If any person convicted of an offence under sub clause (ii) of clause (a) of sub section (1) or under sub section (2) is again convicted of an offence under the same provision, he shall be punishable with imprisonment for the second and for every subsequent offence for a term which shall not be less than six months but which may extend to seven years and shall be liable to fine :

PROVIDED that the court may for any adequate or special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than six months.

(2B) For the purposes of sub-sections (1), (2) and (2-A), the fact that an offence under sub-clause (ii) of clause (a) of sub-section (1) or under sub-section (2) has caused no substantial harm to the general public or to any individual, shall be an adequate and special reason for awarding a sentence of imprisonment for a term of less than three months, as the case may be.

(3) Where a person having been convicted of an offence under sub-section (i) is again convicted of an offence under that sub-section for contravention of an order in respect of an essential commodity, the court by which such person is convicted shall, in addition to any penalty which may be imposed on him under that sub-section, by order, direct that that person shall not carry on any business in that essential commodity not being less than six months, as may be specified by the court in the order.

7-A. Powers of Central Government to recover certain amounts as arrears of land revenue.

(1) Where any person, liable to—

- (a) pay any amount in pursuance of any order made under section 3, or
- (b) deposit any amount to the credit of any account or Fund constituted by or in pursuance of any order made under that section.

makes any default in paying or depositing the whole or any part of such amount, the amount in respect of which such default has been made shall, whether such order was made before or after the commencement of the essential commodities (Amendment) Act, 1984, and whether the liability of such person to pay or deposit such amount arose before or after such commencement, be recoverable by Government together with simple interest due thereon computed at the rate of fifteen per cent per annum from the date of such default to the date of recovery of such amount, as an arrear of land revenue or as a public demand.

(2) The amount recovered under sub-section (1) shall be dealt with in accordance with the order under which the liability to pay or deposit such amount arose.

(3) Notwithstanding anything contained in any other law for the time being in force or any contract to the contrary no court, Tribunal or other authority shall grant any injunction or make any order prohibiting or restraining any Government from recovering any amount as an arrear of land revenue or as a public demand in pursuance of the provisions of sub-section (1).

(4) If any order, in pursuance of which any amount has been recovered by Government as an arrear of land revenue or as a public demand under sub-section (1) is declared by a competent court, after giving to the Government a reasonable opportunity of being heard, to be invalid, the Government shall refund the amount so recovered by it to the person from whom it was recovered, together with simple interest due thereon, computed at the rate of fifteen per cent per annum from the date of recovery of such amount to the date on which such refund is made.

Explanation : For the purpose of this section, "Government" means the Government by which the concerned order under section 3 was made or where such order was made by an officer or authority subordinate to any Government, that Government.

8. Attempts and abetment

Any person who attempts to contravene, or abets a contravention of, any order made under section 3 shall be deemed to have contravened that order.

9. False statement

If any person—

- (i) when required by any order made under section 3 to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

- (ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish,

he shall be punishable with imprisonment for a term which may extend to five years or with fine, or with both.

10. Offences by companies

(1) If the person contravening an order made under section 3 is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly :

PROVIDED that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation : For the purpose of this section—

- (a) “company” means any body corporate, and includes a firm or other association of individuals, and
- (b) “director” in relation to a firm means a partner in the firm.

10-A. Offences to be cognisable

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) every offence punishable under this Act shall be cognisable.

10-B. Powers of court to publish name, place of business, etc. of companies convicted under the Act

(1) Where any company is convicted under this Act, it shall be competent for the court convicting the company to cause the name and place of business of the company, nature of the contravention, the fact that the company has been so convicted and such other particulars as the court may consider to be appropriate in the circumstances of the case, to be published at the expense of the company in such in such newspapers or in such other manner as the court may direct.

(2) No publication under sub-section (1) shall be made until the period for preferring an appeal against the order of the court has expired without any appeal having been preferred, or such an appeal, having been preferred has been disposed of.

(3) The expenses of the publication under sub-section (1) shall be recoverable from the company as if it were a fine imposed by the court.

Explanation : For the purposes of this section, “company” has the meaning assigned to it in clause (a) of the explanation to section 10.

10-C. Presumption of culpable mental state

(1) In any prosecution for any offence under this Act which requires a culpable mental state on the part of the accused, the court shall presume the existence of such mental state, but it shall be a defence for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution.

Explanation : In this section "culpable mental state" includes intention, motive, knowledge of an act and the belief in, or reason to believe, a fact.

(2) For the purpose of this section, a fact is said to be proved only when the court believes it to exist beyond reasonable doubt and not merely when its existence is established by a preponderance of probability.

11. Cognisance of offences

No court shall take cognisance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Indian Penal Code (45 of 1860) or any person aggrieved or any recognised consumer association, whether such person is a member of that association or not.

Explanation : For the purpose of this section "recognised consumer association" means a voluntary consumer association registered under the Companies Act, 1956 (of 1956), or any other law for the time being in force.

12. Special provision regarding fine

Notwithstanding anything contained in section 29 of the Code of criminal Procedure, 1973 (2 of 1974), it shall be lawful for any Metropolitan Magistrate, or any Judicial Magistrate of the first class, specially empowered by the State Government in this behalf, to pass a sentence of fine exceeding five thousand rupees on any person convicted of contravening any other made under section 3.

12A. Power to try summarily

(1) If the Central Government is of opinion that a situation has arisen where, in the interest of production, supply or distribution of any essential commodity, not being an essential commodity referred to in clause (a) of sub section (2), or trade or commerce therein and other relevant considerations, it is necessary that the contravention of any order made under section 3 in relation to such essential commodity should be tried summarily, the Central Government may, by notification in the Official Gazette, specify such order to be a special order for purpose of summary trial under this section, and every such notification shall be laid, as soon as may be after it is issued, before both Houses of Parliament.

PROVIDED that—

- (a) every such notification issued after the commencement of the Essential Commodities (Amendment) Act, 1971, shall, unless sooner rescinded, cease to operate at the expiration of two years after the publication of such notification in the Official Gazette.
- (b) every such notification in force immediately before such commencement shall, unless sooner rescinded, cease to operate at the expiration of two years after such commencement :

PROVIDED FURTHER that nothing in the foregoing provision shall affect any case relating to contravention of a special order specified in any such notification if proceedings by way of summary trial have commenced before that notification is rescinded or ceases to operate and the provisions of this section shall continue to apply to that case as if that notification had not been rescinded or had not ceased to operate.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) all offences relating to—

- (a) the contravention of an order made under section 3 with respect to—
 - (i) cotton or woollen textiles or
 - (ii) foodstuffs, including edible oilseeds and oils, or
 - (iii) drugs, and
- (b) where any notification issued under sub-section (1) in relation to a special order is in force, contravention of such special order, shall be tried in a summary way by a judicial Magistrate of the first class, specially empowered in this behalf by the State Government, or by a Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial :

PROVIDED that in the case of any conviction in a summary trial under the section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year :

PROVIDED FURTHER that when at the commencement of, or in the course of, a summary trial under this section, it appears to the Magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the Magistrate shall, after hearing the parties, record an order to that effect and thereafter recall any witness who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code.

(3) Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1973 there shall be no appeal by a convicted person in any case tried summarily under this section in which the Magistrate passes a sentence of imprisonment not exceeding one month, and of fine not exceeding two thousand rupees, whether or not any order or forfeiture of property or an order under section 452 of the said Code is made in addition to such sentence, but an appeal shall lie where any sentence in excess of the aforesaid limits is passed by the Magistrate.

(4) All cases relating to the contravention of an order referred to in clause (a) of sub section (2), not being a special order, and pending before a Magistrate immediately before the commencement of the Essential Commodities (Amendment) Act, 1974, and where any notification is issued under sub section (1) in relation to a special order, all cases relating to the contravention of such special order and pending before a Magistrate immediately before the date of the issue of such notification, shall, if no witnesses have been examined before such commencement on the said date, as the case may be, be tried in a summary way under this section, and if any such case is pending before a Magistrate who is not competent to try the same in a summary way under this section, it shall be forwarded to a Magistrate so competent.

12B. Grant of injunction, etc. by civil courts

No civil court shall grant injunction or make any order for any other relief, against the Central Government or any State Government or a public officer in respect of any act done or purporting to be done by such Government, or such officer in his official capacity, under this Act or any order made thereunder, until after notice of the application for such injunction or other relief has been given to such Government or officer.

13. Presumption as to order

Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Act, a court shall presume that such order was so made by that authority within the meaning of the Indian Evidence Act, 1872 (1 of 1872).

14. Burden of proof in certain cases

Where a person is prosecuted for contravening any order made under section 3 which prohibits him from doing any Act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document shall be on him.

15. Protection of action taken under Act

(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made under Section 3.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made under Section 3.

15A. Prosecution of public servants

Where any person who is a public servant is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his duty in pursuance of an order made under Section 3, no court shall take cognisance of such offence except with the previous sanction—

- (a) of the Central Government, in the case of a person who is employed or, as the case may be, was at the time of commission of the alleged offence employed, in connection with the affairs of the Union;
- (b) of the State Government, in the case of a person who is employed or, as the case may be, was at the time of commission of the alleged offence employed, in connection with the affairs of the State.

16. Repeal and Saving

(1) The following laws are hereby repealed—

- (a) the Essential Commodities Ordinance, 1955 (1 of 1955),
- (b) any other law in force in any State immediately before the commencement of this Act, in so far as such law controls or authorises the control of the production, supply and distribution of, and trade and commerce in, any essential commodity.

(2) Notwithstanding such repeal, any order made or deemed to be made by any authority whatsoever, under any law repealed hereby and in force immediately before the commencement of this Act shall, in so far as such order may be made under this Act, be deemed to be made under this Act and continue in force and accordingly any appointment made, licence or permit granted or direction issued under any such order and in force immediately before such commencement shall continue in force until and unless it is superseded by any appointment made, licence or permit granted or direction issued under this Act.

(3) The provisions of sub-section (2) shall be without prejudice to the provisions contained in Section 6 of the General Clauses Act, 1897 (10 of 1897), which shall also apply to the repeal of the Ordinance or other law referred to in sub-section (1) as if such Ordinance or other law had been an enactment.

LIST ON COMMODITIES DECLARED ESSENTIAL UNDER THE ESSENTIAL COMMODITIES ACT, 1955

Declared under Clause (a) of Section 2 of the Act

1. Cattle fodder; including oilcakes and other concentrates.	Deptt. of Animal Husbandry & Dairing
2. Coal including coke and other derivatives.	Deptt. of COAL
3. Component parts and accessories of automobiles.	Deptt. of I. D.
4. Cotton and woollen textiles.	MIN. of TEXTILES
5. Drugs.	Deptt. of Chemicals & Petrochemicals
6. Foodstuffs including edible oilseeds and oils.	MIN. of FOOD
7. Iron and Steel including manufactured products of Iron. & Steel.	Deptt. of STEEL
8. Paper, including newsprint, paperboard and straw board.	Deptt. of I. D.
9. Petroleum and Petroleum products.	Deptt. of PETRO & N. G.
10. Raw Cotton either ginned or unginned and Cotton seeds.	MIN. of TEXTILES
11. Raw Jute.	MIN. of TEXTILES

Declared under Sub-clause (xi) of Clause (a) of Section 2 of the Act

12. Jute textiles.	MIN. of TEXTILES
13. Fertilizers whether inorganic, organic or mixed.	Deptt. of AGRI & COOL Deptt. of FERTILIZERS
14. Coconut husk (raw or retted)	Deptt. of S. S. I AND AGRO. & RURAL INDUSTRY
15. Yarn made wholly from cotton	MIN. of TEXTILES
16. Exercise Books	Deptt. of EDUCATION
17. Coir fibre extracted from coconut husks.	Deptt. SSI AND AGRO & RURAL INDUSTRY
18. Insecticides, Fungicides, weedcides and the like.	Deptt. of CHEMICALS & PETROCHEMICALS
19. Tea.	MIN. of COMMERCE
20. (i) seeds of food crops and seeds of fruits and vegetables. (ii) seeds of cattle fodder and (iii) jute seeds.	Deptt. of AGRI. & CO-OPERATION

2. ORDERS OF THE CENTRAL
GOVERNMENT DELEGATING
POWERS TO THE STATE
GOVERNMENT UNDER SECTION-5
OF THE E.C. ACT-1955.

MINISTRY OF AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 25th October, 1972.

G.S.R. 452 (E)-In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the power to make orders under sub-section (1) of section 3 of the said Act, to provide for the prohibition of, or the imposition of restrictions on, the storage of foodstuffs, shall be exercisable also by a State Government.

Provided that before making an order relating to the aforesaid matter, a State Government shall obtain the prior concurrence of the Central Government;

A.K. MAJMUDAR

Joint Secretary to Government of India

(No. 203 Genl.) (10/88/72-PY-II)

MINISTRY OF AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 18th March, 1973.

G.S.R. 168 (E)-In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the powers conferred on it by sub-section (1) of section 3 of the said Act to make orders to provide for the matters specified in clause (g) of sub-section (2) thereof shall, in relation to foodstuffs, be exercisable also by a State Government;

Provided that before making an order providing for the matters specified in the aforesaid clause, a State Government shall obtain the prior concurrence of the Central Government.

A.K. MAJMUDAR

Joint Secretary to Government of India

(No. 3 (Genl.) (2)/92/72/PY-II)

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Food)

ORDER

New Delhi, the 9th June, 1978.

G.S.R. 800-In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955) and in supersession of the order of the Government of India in the late Ministry of Agriculture (Department of Food) No. G.S.R. 316 (E) dated the 20th June, 1972, the Central Government hereby directs that the powers conferred on it by sub-section (1) of section 3 of the said Act to make orders to provide for the matters specified in clause (a), (b), (c), (d), (e), (f), (g), (h), (i), (ii) and (j) of sub-section (2) thereof shall, in relation to foodstuffs be exercisable also by a State Government subject to the conditions:-

(1) that such powers shall be exercised by a State Government subject to such directions, if any, as may be issued by the Central Government in this behalf;

(2) that before making an order relating to any matter specified in the said clause (a), (c) or (f), or in regard to distribution or disposal of foodstuffs to places outside the State, or in regard to regulation of transport of any foodstuff, under the said clause (d), the State Government shall also obtain the prior concurrence of the Central Government; and

(3) that in making an order relating to any of the matters specified in the said clause (j), the State Government shall authorise only an officer of Government.

(No. 3 (genl.) (1)/78-D & R (I)-59)

K.BALAKRISHAN

Deputy Secretary to Government of India.

MINISTRY OF INDUSTRY AND CIVIL SUPPLIES

(Department of Civil Supplies and Co-Operation)

ORDER

New Delhi, the 30th November, 1974.

S.O. 681 (E)-In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), Central Government hereby directs-

(a) that the powers conferred on it by sub-section (1) of section 3 of the said Act to make Orders to provide for the matters specified in clauses (d), (e), (f), (g), (h), (i), (ii) and (j) of sub-section (2) thereof shall, in relation to all essential commodities, other than foodstuffs and fertilizers (whether inorganic, organic or mixed), be exercisable also by a State Government or, in relation to a Union territory, by the Administrator thereof, subject to the following conditions, namely:-

(i) that the delegation of powers under clause (d) shall not extend to interstate transport or distribution and the powers under that clause shall not be exercised so as to prejudicially affect such transport or distribution in pursuance of any Order issued by the Central Government;

(ii) that all orders, under clause (f) shall require the prior concurrence of the Central Government;

(iii) that no Order shall be issued in pursuance of the powers hereby delegated if it is inconsistent with any order issued by the Central Government under the said Act;

(iv) that in making an order relating to any of the matters specified in clause (j) the State Government or, as the case may be, the administrator of a Union Territory shall authorise only an officer of Government;

(b) that the Order of the Government of India in the Ministry of Commerce No. S. O. 1844 dated the 18th June, 1966 issued under section 5 of the said Act shall stand rescinded;

Provided that, notwithstanding such rescission, any Order (hereinafter referred to as the said Order) made by a State Government or by administrator or any officer subordinate to that State Government or administrator in pursuance of the Order so rescinded and in force immediately before the commencement of this Order, shall be deemed to have been made in pursuance of this Order so rescinded and in force immediately before the commencement of this Order, shall be deemed to have been made in pursuance of this Order and under the relevant provisions of section 3 of the Act, and shall continue in force according to its tenor, and accordingly any action taken or thing done (including any appointment made, licence or permit granted or direction issued) under the said Order and in force immediately before that such commencement shall continue in force according to its tenor until and unless it is superseded by any action taken or anything done under any other Order made in pursuance of this order and under the relevant provisions of section 3 of the said Act.

(No. 26(1)/74-CS-II)

S.O. 682(E):- In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs:-

(a) that the powers conferred on it by sub-section (1) of section 3 of the said act to make Orders to provide for the matters specified in clause (c) of sub-section (2) thereof shall in relation to all essential commodities other than foodstuffs and fertilizers (whether inorganic, organic or mixed) be exercisable also by a State Government or in relation to Union Territory, by the administrator thereof subject to the following conditions, namely:-

(i) that where the price at which any essential commodity may be brought or sold is controlled by or under any other law for the time being in force no Order shall be made in pursuance of the powers hereby delegated;

(ii) that where the price is not so controlled, no order shall be made in pursuance of the powers hereby delegated in respect of any essential commodity:-

(A) If the wholesale prices or retail prices, or both, of such commodity have been fixed by the manufacturers or producers thereof with the approval of Central Government, except on the basis of such prices;

(B) in any other case, except with the prior concurrence of the Central Government;

(iii) that no order shall be issued in pursuance of the powers hereby delegated if it is inconsistent with any order issued by the Central Government under the said Act;

(b) that the Order of the Government of India in the Ministry of Commerce No. S.O. 2314, dated the 30th July, 1966 issued under Section 5 of the said Act shall stand rescinded:

Provided that notwithstanding such rescission, any order (hereinafter referred to as the said order), made by a State Government or an administrator or any officer subordinate to that State Government or Administrator in pursuance of the Order so rescinded and in force immediately before the commencement of this order, shall be deemed to have been made in pursuance of this order and under the relevant provisions of section 3 of the said Act, and shall continue in force according to its tenor, and accordingly any action taken or thing done (including any appointment made, licence or permit granted or direction issued) under the said Order and in force immediately before the such commencement shall continue in force according to its tenor until and unless it is superseded by any action taken or anything done under any other Order made in pursuance of this Order and under the relevant provisions of section 3 of the said Act.

(FILE No. 26(1)/74-C.S. II)

K. RAMANUJAM

Joint Secretary

LEGAL DEPARTMENT

Notification

Sachivalaya, Ahmedabad, dated the 25th August, 1967.

Essential Commodities Act, 1955.

No. GK/ECA/1067/679/D :- In exercise of the powers conferred by sub-section (1) of section 6-C of the Essential Commodities Act, 1955 (X of 1955), the Government of Gujarat hereby appoints a Court of Session for every sessions division to be a judicial authority for the purpose of hearing appeals under the said section 6-C.

By order and in the name of the Governor of Gujarat,

K. R. MARJADI

Deputy Secretary to Government

**THE GUJARAT ESSENTIAL ARTICLES
(LICENSING, CONTROL AND
STOCK-DECLARATION) ORDER, 1981.**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 20th April, 1981.

(Amended upto 30-9-1999)

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/81/14/ECA/1181/537/B.-Whereas the Government of Gujarat is of the opinion that it is necessary and expedient so to do for maintaining supplies of certain essential commodities and for securing their equitable distribution and availability at fair prices.

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of the Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-Operation) No. S. O. 681 (E) dated the 30th November, 1974 and S. O. 682 (E) Dated the 30th November, 1974 and the Ministry of Agriculture (Department of Food) G.S.R. Nos. 452(E) dated 25th October, 1972, G.S.R. 168, dated the 13th March, 1973 and Ministry of Agriculture (Department of Food) G.S.R. No. 800 dated the 9th June, 1978 and with the prior concurrence of the Central Government, the Government of Gujarat hereby makes the following Order, namely:-

1. Short Title, Extent and Commencement.- (1) This Order may be called the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981.

(2) It extends to the whole of the State of Gujarat.

(3) All clauses of this Order, except sub-clause (6) of clause 18 in so far as it relates to the requirement of permit and paragraph (i) to (iii) of sub-clause (7) and sub-clause (8) of the said clause 18 shall come into force on the 20th April, 1981 and sub-clause (6) of clause 18 in so far as it relates to the requirement of permit and paragraph (i) to (iii) of sub-clause (7) and sub-clause (8) of the said clause 18 shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.- In this Order, unless the context otherwise requires,

(1) "the Act" means the Essential Commodities Act, 1955 (10 of 1955);

(2) "bulk consumer",-

(a) in relation to pulses, edible oilseeds and edible oils, means a hotel, a restaurant, a halwai, and educational institution with hostel facilities, a hospital or a religious or charitable institution, and

(b) in relation to essential articles other than those referred to in paragraph (a), means a consumer permitted by the licensing authority to purchase at a time any quantity exceeding such quantity of the essential article as may be notified by the State Government from time to time in the Official Gazette;

(3) "commission agent" means a commission agent having in the customary course of business as such agent authority either to sell essential articles, or to consign essential articles for the purpose of sale or to buy essential articles on behalf of his principal;

(4) "consumer" means a person who obtains by purchase or otherwise any essential articles for his consumption or use and not for transfer by sale, distribution or otherwise;

(5) "dealer" means a person, a firm, an association of persons a company, a corporation or a cooperative society engaged in the business of purchase, sale or storage for sale of any essential article, whether or not in conjunction with any other business and includes his representative, agent or, as the case may be, commission agent; but does not include -

(a) an agriculturist who deals in his own agricultural produce but does not engage in the business of purchase, sale or storage for sale of any essential article not produced by him;

(b) an oil company dealing in petroleum products;

- (6) "Director of civil Supplies" includes an additional Director of Civil Supplies;
- (7) "Director of Food" includes an additional Director of Food;
- (8) "essential article" means an article specified in the Schedule I;
- (9) "form" means a form appended to this Order;
- (10) "Khandsari" means sugar in the manufacture of which neither a vacuum pan nor vacuum operator is employed;
- (11) "licence" means a licence issued under this Order;
- (12) "licence holder" means a dealer or, as the case may be producer holding a licence under this Order;
- (13) "licensing authority" means,-

(a) in relation to the City of Ahmedabad as constituted under the Bombay Provincial Municipal Corporations Act, 1949, the Deputy Food & Civil Supplies Controller;

(b) in relation to any other area, a Mamlatdar or a Mahalkari, within his respective jurisdiction, and

(c) in relation to such area as may be specified by the State Government, any other officer appointed by it, as the licensing authority in addition to the licensing authority specified in paragraphs (a) or (b);

Note:- Vide Order No. GTH-81-40-ECA-1281-6109-B, dated 18-5-1981 issued under paragraph (c) of sub-clause (13) of clause 2, as amended vide Order No. GTH-98-20-ECA-1098-363-B, dated 14-5-1998, the Government has appointed the following officers as Licensing Authority, except for clauses 4, 5, 6, 7 and 17.

Sr. No.	Officer	Area
1.	District Supply Officer	Within his jurisdiction
2.	Supply Mamlatdar, Gandhinagar,	-- do --
3.	Joint Director in the Office of the Director of Civil Supplies	Gujarat State
4.	Deputy Director in the Office of the Director of Civil Supplies	-- do --

(14) "Oil company" means any company dealing in any of the petroleum products and includes the Indian Oil Corporation Ltd. (IOC), Indo-Burma Petroleum Company Limited (IBP), Hindustan Petroleum Corporation Ltd. (HPC) and the Bharat Petroleum Corporation Limited (BPC);

(15) "Permit" means a permit issued in Form E under this Order;

(16) "Permit officer" means -

(a) in relation to the whole of the State-

(i) the Director of Civil Supplies, Gujarat State.

(ii) the Director of Food, Gujarat State;

(b) in relation to the city of Ahmedabad as constituted under the Bombay Provincial Municipal Corporation Act, 1949, the Food and Civil Supplies Controller, Ahmedabad City ;

(c) in relation to the area within his or its jurisdiction,-

(i) the Collector of a district;

(ii) a licensing authority, and

(d) in relation to such area as may be specified by the State Government any other officers appointed by it as a permit officer in addition to the permit officer specified in paragraph (a), (b) or (c);

(17) "Producer" means a person carrying on the business of milling, expelling, extracting refining or manufacturing of any essential article -

(i) by buying goods for being processed by himself and selling the finished products to a wholesaler or through a commission agent, or

(ii) by doing any of the processes of milling, expelling, extracting, refining and manufacturing on behalf of another.

Explanation :- For the purpose of this clause, an agriculturist producing the agricultural produce in his own land shall not be construed as a producer;

(18) "retailer" means a dealer who sells essential articles to consumers and holds a retailer's or hawker's licence issued under this Order;

(19) "place of business" means any place where a dealer or, as the case may be producer sells any of the essential articles;

(20) "pulses" means tur, urad, moong, arhar, masoor, lobia, rajmaha, gram including pease or any other dal, whether whole or split, with or without husk,

(21) "sale" in relation to any kind of essential article includes supply or distribution of an essential article and the word "sell" with all its grammatical variations cognate expression shall be construed accordingly;

(22) "State Government" means the Government of the State of Gujarat;

(23) "Schedule" means a Schedule appended to this Order;

(24) "sugar" means any form of sugar, containing more than 90 per cent of sucrose but does not include khandsari and includes freesale sugar and levy sugar;

(25) "wholesaler" means a dealer who sells essential articles to retailers other dealers or bulk consumers and holds a wholesaler's licence issued under this Order;

(26) "working hours" means working hours of a dealer or as the case may be, of producer in respect of his business immediately prior to the issue of this Order;

(27) "year" means a year reckoned according to the British Calendar.

3. Licensing of Dealers and Producers.- (1) On and after the 20th day of April, 1981 no person shall carry on business as a dealer in:-

(a) edible oilseeds including groundnut in shell, edible oils including hydrogenated vegetable oils, foodgrains, pulses, khandsari and sugar if the stock of such essential article in his possession at any time exceed the quantities specified, against it in the table below; and

(b) (*) petroleum products, except under and in accordance with the terms and conditions of a licence granted under this Order.

TABLE

Sr. No.	Essential Articles	Stock limit
1.	Edible oilseeds including groundnut in shell	50 quintals of edible oilseeds
2.	Edible oils including hydrogenated vegetable oils	
	(a) any one edible oil	5 quintals
	(b) all edible oils taken together	10 quintals
3.	Food grains-	75 quintals
	(a) any one foodgrain.	

*The words "Cements or" deleted vide Order No. GTH-88-40-CMT-108-758-B, dated 15-12-1988
Y-1727-7

Sr.	Essential Articles	Stock limit
No.		
	(b) all foodgrains taken together.	150 quintals.
4.	Pulses.	25 quintals for all pulses taken together.
5.	Khandsari and Sugar	25 quintals.

(2) On and after the 20th day of April, 1981 no person shall carry on business as a producer in essential article except under and in accordance with the terms and conditions of a licence granted under this Order.

(3) Notwithstanding the repeal of the Gujarat Sugar and Khandsari Dealer Licensing Order, 1963, the Gujarat Food grains Dealer Licensing Order, 1972, the Gujarat Pulses, Edible Oilseeds and Edible Oils Dealers Licensing Order, 1977, the Gujarat Cement (Licensing and Control) Order, 1978 and the Gujarat Petroleum Products (Licensing, Control and Stock Declaration) Order, 1979 by clause 29 where a person who is required under this Order to hold a licence for carrying on business as dealer or, as the case may be, a producer in any essential article holds immediately before the commencement of this Order a valid licence under any of the repealed orders for dealing in any such essential article, such licence shall be deemed to be a licence issued to him under this Order in respect of such essential article and such licence shall remain in force till the date of issue of a licence under this Order, if an application for issue of such licence is made before [31st July, 1981]*

(4) Where a person not being a person to whom sub clause (1) or (2) applies but sub-clause (3) does not apply makes an application within fifteen days from the date of this Order or, as the case may be, the date of application of sub-clause (1) or (2), an application for a licence under this Order, such person shall not be deemed to have contravened the sub-clause (1) or sub-clause (2) if he carries on business as a dealer or, as the case may be a producer in any essential article till the day he is granted or, as the case may be, refused a licence, under this Order.

Note :- Vide Order No. GTH-99-23-PRC-109-657-B, dated 30-4-1999 issued under sub-clause (1) of clause 27, the Government has exempted "Huller" (one type of small rice mill) from obtaining license required under clause 3.

4. Issue of Licence.-(1) Every application for issue or re-issue of a licence or renewal thereof shall be made to the licensing authority in Form 'A'.

(2) Every licence shall be issued, re-issued or renewed in Form 'B'.

*(3) Every Licence issued under this order shall be non-transferrable.

5. Period of licence and fees chargeable .-(1) Every licence granted under this Order shall be valid for a period of five years from the 1st January of the year in which it is issued and may be renewed for a period of five years if an application for the renewal thereof is made within a period of its validity:

Provided that a licence issued after the 15th October of an year shall be valid upto the end of five years beginning from the next succeeding year:

Provided further than an application for renewal of a licence made before the end of February immediately following the date of expiry of the licence, may for sufficient reasons to be recorded in writing by the licensing authority be entertained by the licensing authority and the licence may be renewed:

"Provided further that a non-renewable license may be issued by the licensing authority if an application is made for the same:

"Provided further that all provisions in the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 relating to the renewal of a license shall not be applicable in the case of a non-renewable license."

(2) When an application for renewal of a licence made either within the period of validity of the licence under sub-clause (1) or before the end of February under the second proviso to sub-clause (1), the licence holder shall be deemed to be duly licenced till the date on which the licensing authority either renews or refuses to renew the licence.

*Substituted Vide Order No. GTH-81-25-ECA-1781-2065-B, dated 30th June, 1981.

(3) The holder of a licence may obtain from the licensing authority a duplicate of the licence issued to him, if such licence is lost, destroyed or defaced.

(4) The fees prescribed shall be chargeable in respect of each licence as shown in the Table-A and Table-B hereunder:-

TABLE-A.

(For license granted for five years, and renewable)

	Producer	Wholesaler or commission Agent.	Retailer	Hawker
	Rs.	Rs.	Rs.	Rs.
(i) For issue of licence	1000	500	200	100
(ii) For renewal of a licence.	500	250	100	50
(iii) For issue of a duplicate license.	200	100	70	15

TABLE-B.

(For non-renewable license)

	Producer	Wholesaler or commission Agent.	Retailer	Hawker
	Rs.	Rs.	Rs.	Rs.
(i) For issue of licence	5000	3000	2000	500
(ii) For issue of a duplicate license.	200	100	70	15

Provided that no fees shall be chargeable for the issue of a duplicate licence in case the original license is lost or destroyed on account of flood, fire or such other calamity, if the licensing authority, on production of evidence, if any, by the license holder, is satisfied that such loss or destruction was on account of any such calamity.

(5) A separate licence shall be obtained by a dealer or, as the case maybe, by a producer for each place of his business.

(6) Where any dealer carrying on business of purchase, sale, storage for sale in essential articles, as the case maybe by any producer carrying on business of milling, expelling, extracting, refining, manufacturing of any essential articles, holds on the date of commencement of this order a valid license:-

(a) under the Gujarat Sugar and Khandsari Dealers Licensing Order 1963, authorising him to purchase, sell or store for sale sugar and Khandsari or both or any of them, or

(b) under the Gujarat Foodgrains Dealers Licensing Order, 1972 authorising him to purchase, sell or store for sale all foodgrains or any of them, or

(c) under the Gujarat Pulses, Edible Oilseeds and Edible Oils Dealers Licensing Order, 1977 authorising him to purchase, sell or store for sale or manufacture of any edible oil or to mill any pulses, or

(d) under the Gujarat Cement (Licensing and Control) Order, 1978 authorising him to purchase, sell or store for sale cement, or

(e) under the Gujarat Petroleum Products (Licensing, Control and Stock Declaration) Order, 1979 authorising him to purchase, sell or store for sale petroleum products, which would have continued to be operative for any period beyond 31st December, 1981 after the commencement of this Order but for the

repeal of the Orders referred to in paragraphs (a), (b), (c), (d) and (e) no fee shall be chargeable for a licence issued to him under this order to carry on the said business, for the unexpired period of the licence held by him under the repealed order; if such dealer or as the case maybe, such producer makes an application on or before the (31st July, 1981)*

***6. Deposit of Security.-** (1) Every person applying for a licence under this order shall before such licence is issued to him deposit with the licensing authority in cash or in the form of National Saving Certificates or any other Security issued by the Government of India or any State Government, or any local authority, by way of security for the due performance of the conditions subject to which the licence is granted to him -

(i)	an amount of Rs. 15,000/- (Rupees Fifteen thousand only)	if such person is a producer/manufacturer.
(ii)	an amount of Rs. 6,000/- (Rupees Six thousand only)	if such person is a wholesaler or as the case maybe commission agent.
(iii)	an amount of Rs. 2,500/- (Rupees Two thousand five hundred only)	if such a person is a retailer and
(iv)	an amount of Rs. 500/- (Rupees Five Hundred only)	if such person is a Hawker.

Provided that a licence holder who has deposited any amount by way of security under any of the Orders repealed under clause 29 shall.-

(i) not be required to deposit any fresh amount under this clause if the amount so deposited by him under any of the repealed Orders is equal to or more than the amount required to be deposited by him under this clause, and

(ii) be required to deposit such amount only by which the amount so deposited under any of the repealed orders falls short of the amount required to be deposited by him under this clause, if the amount deposited as aforesaid is less than the amount required to be deposited under this Order.

(2) The amount of security deposited under any of the Orders repealed by this order shall, for the purpose of clause 10, be deemed to be the amount of security deposited under this order.

7. Power to refuse licence.- (1) The licensing authority may, after giving the applicant an opportunity of stating his case and for the reasons to be recorded in writing, refuse to grant or renew a Licence.

(2) The licensing authority shall refuse to grant or renew a Licence if :-

(a) the applicant is a minor or a lunatic or is of unsound mind; or

(b) the applicant is an undischarged insolvent; or

(c) three years period has not expired from the date of conviction of the applicant under the Act.

8. Suspension or cancellation of licence for contravention of order or condition of licence.- (1) No holder of a licence issued under this order or his agent or servant or any other acting on his behalf shall contravene any of the terms or conditions of a licence issued to him and if any such licence holder or his agent or servant or other person acting on his behalf contravenes any of the terms or conditions then, without prejudice to any of the action that may be taken against him, his licence may be cancelled or suspended with regard to one or more essential articles by an order of the licensing authority in writing.

Provided that no order shall be made by the licensing authority under this clause unless the licence holder has been given a reasonable opportunity to stating his case to that authority against the proposed cancellation or suspension not being suspension referred to in the sub-clause (2) during the proceeding for cancellation of a licence.

(2) Where the licensing authority is *prima facie* satisfied that there is a case for cancellation of the licence it may suspend the licence for a period not exceeding 90 days during which period the authority shall consider and finally decide.

* Substituted vide order No. GTH/81/25/DCA/1781/2065/B, dt. 30th June, 1981

* Substituted vide order No. GTH/99/1/ECA/1085/1057/B, dt. 1-1-1999.

9. Cancellation of licence on contravention of an order under the Act.- Notwithstanding anything contained in clause 8, where a licence holder has been convicted by a Court of Law in respect of contravention of any order made under section 3 of the Act the licensing authority may by order in writing cancel his licence:

Provided that where such conviction is set aside in any appeal or revision the licensing authority may, on an application in form-A by the person whose licence has been cancelled, reissue the licence to such person upto the period mentioned in the licence so cancelled and no fee shall be chargeable in respect of such reissue of licence for that period.

10. Forfeiture of security deposit.- (1) Without prejudice to the provisions of clause 8, if the licensing authority is satisfied that the licence holder has contravened any of the provisions of this order or any of the terms or conditions of the licence and the forfeiture of the security deposit is called for, it may, after giving the licence holder a reasonable opportunity of stating his case to it against such forfeiture, by order, forfeit the whole or any part of the security deposited by him and shall forward a copy of the order to the licence holder:

Provided that the amount so forfeited shall not exceed the amount of security required to be deposited by licence holder under sub-clause(1) of clause 6.

(2) The Licence holder shall, if the amount of security at any time falls short of the amount specified in clause 6 forthwith deposit further security to make up that amount on being required by the licensing authority to do so.

(3) Upon due compliance by the licence holder of all terms and conditions of the licence, the amount of security or such part thereof which is not forfeited as aforesaid shall be returned to the licence holder after the termination of the licence by the licensing authority.

11. Appeal.- (1) Any person or, as the case may be, any licence holder aggrieved by any order of the licensing authority refusing to issue, reissue or renew a licence or cancelling or suspending a licence or forfeiting the security deposited by the licence holder under the provision of this order may within 30 days of the date of the receipt by him of such order, appeal -

(a) to the Food and Civil Supplies Controller, Ahmedabad in the case where the person resides in or, as the case may be, the dealer or the producer has obtained a licence in respect of his business in the city of Ahmedabad as constituted under the Bombay Provincial Municipal Corporation Act, 1949 and the licensing authority which made the order is lower in rank than that of Collector.

(b) To the Collector of a district in the case where the person resides in or, as the case may be, the dealer or the producer has obtained a licence in respect of his business in a district and the licensing authority which made the order is lower rank than that of a Collector.

******(ba) To the Director of Civil Supplies where the Licensing authority which made the Order is a Joint or Deputy Director of Civil Supplies.

(c) To the State Government, where the licensing authority which made the order is not lower in rank than that of a Collector:

Provided that the appellate authority may admit an appeal after the expiry of the said period of 30 days, if the appellant satisfies it that he had sufficient cause for not preferring the appeal within such period.

(2) No order affecting the aggrieved person or dealer or producer shall be made under this clause unless the aggrieved person or dealer or producer has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of an appeal, the appellate authority may direct that the order refusing to renew or reissue a licence or the order not take effect until the appeal is disposed of.**12. Revision.-**(1) The State Government may call for and examine the record of any proceedings of the licensing authority or the Collector, or the Food and Civil Supplies Controller, Ahmedabad City, as the case may be, for the purpose of satisfying itself as to the legality or propriety of any order passed in such proceedings or as to the regularity of such proceeding and if it shall appear to the State Government that such order or proceedings should be modified, annulled or reversed it may pass such order thereon as it deems fit:

Provided that no order shall be made under this clause unless the person who is likely to be affected thereby has been given a reasonable opportunity of stating his case.

****** Inserted vide Order No. GTH/90/26/ECA/1098/363/B, dated the 28th July, 1998.

(2) Pending disposal of the revision proceedings under this clause the State Government may direct that the order refusing to renew or reissue a licence or cancelling or suspending a licence or forfeiting the security deposit shall not take effect until an order is passed under sub-clause (1).

13. Reasons not be disclosed in Public Interest.-Nothing in the foregoing provisions shall be deemed to require the licensing authority or, as the case may be, the appellate authority or the State Government to communicate the reasons for rejecting any application for a licence or for renewal of a licence or cancelling or suspending a licence granted under this order if it satisfied that it would not be in the public interest so to do.

14. Expiry or cancellation of licence not to effect past action etc.-The expiry of the period of a licence issued under this Order or the cancellation of the licence under the foregoing provisions of this Order or the termination of the licence by the licence holder shall not-

(a) affect the previous operation of the licence which has so expired or which is cancelled or terminated or anything duly done or suffered thereunder, or

(b) affect any right, privilege, obligation or liability acquired, accrued or incurred under the licence so expired, cancelled or terminated, or

(c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the licence so expired, cancelled or terminated, or

(d) affect any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the period of the licence had not expired or the licence had not been cancelled or, as the case may be, the licence had not been terminated.

15. Restriction on Possession of essential articles.- (1) No persons shall either by himself or by any person on his behalf store or have in his possession at any time any essential articles mentioned in the Schedule - I in excess of the quantity fixed under any order issued by the Central Government or State Government or under the direction issued by the State Government under this Order.

(2) Nothing in this clause shall apply to an oil company in so far as Petroleum products specified in the Schedule-I are concerned.

16. Opening Stock price and working hours to be displayed at place of business.- Every dealer or producer shall display at a conspicuous place of his business premises, the daily opening stock of essential articles, wholesale or, as the case may be, retail prices of such essential articles and the working hours, in Gujarati language and in the manner so as to be easily accessible for consultation by the consumer :

Provided that where any essential article is out of stock there shall be written in the display against the essential article the words "OUT OF STOCK" instead of the prices:

Provided further that where retail price of any essential article is fixed by the Central Government or the State Government or manufacturer or distributor, the retail price so displayed shall not exceed the retail price so fixed.

Note :- (1) Vide Order No. GTH/99/13/ECA/1181/537/Part-I/B, dated 6-4-1999 issued under sub-clause (1) of clause 27, the Government has exempted a dealer in petrol, high speed diesel oil and light diesel oil from displaying the opening stock as required under the provisions of clause 16.

(2) Vide Order No. GTH/99/14/ECA/1181/537/Part-I/B, dated 6-4-1999 issued under sub-clause (1) of clause 27, the Government has exempted every producer from the operation of the provisions of clause 16.

17. Submission of Returns.- (1) every licence holder shall furnish a true return duly signed by him for every fortnight in Form 'C' so as to reach the respective licensing authority (a) on or before every 20th day of the respective month for the first fortnight and (b) on or before every 5th day of the next following month for the second fortnight.

Note (1) Vide Order No. GTH/99/15/ECA/1181/537/Part-I/B, dated 6-4-1999 issued under sub-clause (1) of clause 27, the Government has exempted a dealer in petrol, high speed diesel oil and light diesel oil from the

operation of the provisions of clause 17 (1).

(2) Vide Circular No. ECA/1181/537/Part-I/B, dated 20-4-1999 issued under sub-clause (2) of clause 17, the Government has directed that instead of the interval stated in sub-clause (1) of clause 17, the return in Form "C" shall be required to be furnished as below:-

(a) Every producer shall be required to furnish a return for the month so as to reach the licensing authority on or before the 10th day of the next following month.

(b) A dealer in an essential article included in the public distribution system (wheat, rice, sugar and kerosene) and edible oils and edible oilseeds shall be required to furnish a return for the month so as to reach the licensing authority on or before the 10th day of the next following month.

(c) A dealer not covered under paragraph (b) above shall be required to furnish a return for every quarter (three months of the calendar year) so as to reach the licensing authority on or before the 15th day of the month next following the quarter.

(2) Notwithstanding anything contained in sub-clause (1), the State Government or the Director of Civil Supplies or the Director of Food or the Controller of the district or the Food and Civil Supplies Controller, Ahmedabad City, or the licensing authority, may direct the licence holder, to submit a return to in sub-clause (1) in form 'C' to the concerned authority at the intervals of such period and in such manner as may be specified in such direction.

18. General conditions for dealers.- A licence holder under this Order shall, apart from any special conditions that may be imposed by the licensing authority, observe the following general conditions :-

(1) Every person holding in stock or engaged in the production or in the business of buying or selling of any essential article shall sell to the State Government or to such officer or agent of the State Government or to such Corporation owned or controlled by the State Government or such person or class of persons, the whole or a specified part of his stock at such prices and in such manner as may be specified in the order issued by the State Government in this behalf.

Explanation :- For the purpose of this clause the prices payable to a person who is required to sell the whole or a specified part of his stock of essential articles shall be determined by the State Government in accordance with the provision of sub-section (3), (3-B) or as the case may be, (3-C) of section 3 of the Act.

(2) No dealer or Producer shall refuse to sell any essential article to any dealer or as the case may be, consumer on any day during the working hours while having the stock of the same with him:

Provided that where the distribution of the essential article is regulated by directions, if any, issued to the dealer or as the case may be producer under clause 24 or, where such distribution is regulated by permit under this clause 18 the dealer or producer shall not sell the essential article to any consumer unless it is on accordance with such directions, or, as the case may be, against a permit.

(3) (i) No dealer or his agent or his representative or a person working on his behalf shall sell or offer to sell, or as the case may be, deliver, dispose of or, distribute at any place other than the place of business as shown in the licence, the stock of any essential article obtained or as the case may be received by him from the producer or the wholesaler.

(ii) No transport operator who has obtained or, as the case may be, received on behalf of a dealer any essential article from a producer or, as the case may be, from the wholesaler, shall deliver or offer to deliver stock of such essential article so obtained or as the case may be so received at any place other than the place of business of the concerned dealer and so such transport operator shall dispose of or distributes such essential article.

Note :- Vide order No. GTH/99/26/PRC/1097/1610/B, dated 7-5-1999 issued under sub-clause (1) of clause 27, the Government has exempted all persons, other than those dealing in or transporting articles covered under the Public Distribution System, from the operation of items (i) and (ii) of sub-clause (3) of clause 18.

(4) (i) Every producer or as the case may be, wholesaler shall issue to every transport operator transporting the stock of any essential article from his installation or depot or the place of storage, a correct invoice or a gate pass, as the case maybe, showing the producer's or wholesaler's name, address, the name and address of the

consignee, the date and time of the delivery and quantity delivered and shall keep a duplicate of the same to be made available for inspection on demand by any officer specified in clause 26 or, as the case maybe, by any officer authorised in this behalf.

(ii) Every transport operator to whom an invoice or a gate pass, as the case may be, issued by a producer or a wholesaler under paragraph (i) shall, where the stock of the essential article is in transit, retain with him such invoice or gate pass and make it available for inspection on demand by any officer specified in clause 26 or the authorised officer and shall deliver the same to the consignee dealer at the time of the delivery of such stocks.

(5) Notwithstanding anything contained in clause 15, every person not being a licence holder who has on the date of the notification fixing the limits of stocks or any time thereafter in his possession or under his control any essential article in excess of the limits which may by a notification in the official gazette be fixed by the State Government shall within three days after the issue of such notification or within two days from any date thereafter when the stock exceeds such limit, make a declaration in writing to the concerned licensing authority showing therein his name, address and quantity of each kind of essential article in his possession or under his control.

Provided that such person shall not have in his possession or under his control stock of any essential article in quantity exceeding such limits beyond period of fifteen days after such declaration without obtaining the prior permission thereof from the licensing authority:

Provided further that where the licensing authority grants under the first proviso permission to a person to have in his possession or under his control, stock of any essential article exceeding the limits aforesaid such person shall make on or before the fifth day of every month a declaration of stock in writing to the licensing authority showing therein his name, address, and the quantity of essential article held by him.

Provided also that such person shall *abide* by such directions as the State Government, the Director of Civil Supplies, Gujarat State, the Director of Food, Gujarat State, the Collector of the District, the Food and Civil Supplies Controller, Ahmedabad City or the licensing authority may, by general or special order, issue for the disposals of the stock of essential article in excess of the aforesaid quantity in his possession or under his control.

(6) No person other than a licence holder or, as the case may be, a person exempted by a general or special order issued under clause 27 shall acquire any essential article except under and in accordance with the permit in Form 'E' issued to him by the permit officer of where the provisions requiring such permit is not in operation except in accordance with the distribution system introduced in pursuance or the directions issued under clause 24 or 25.

(7) (i) Any person desiring to obtain a permit for purchase of any essential article for use shall make an application, in duplicate in Form 'D' to the permit officer.

(ii) On receipt of an application under paragraph (i), the permit officer may issue a permit in Form 'E' for the Quantity Approved for such supplies. Every such permit shall be subject to the conditions mentioned in the permit.

(iii) Where the provisions requiring permit are in operation no licence holder shall sell any essential article to any person except in accordance with the terms and conditions of a permit issued to such person.

(iv) Where the provisions for requiring permit are not in operation or no direction is issued under clause 24, the licence holder shall sell an essential article in accordance with the terms and conditions of his licence.

(v) Where any direction is issued under clause 24, no dealer or as the case may be, producer shall sell any essential article to any person except in accordance with such direction.

(vi) Where the provisions requiring permit are not in operation or no direction is issued under clause 25, a person other than a licence holder or as the case may be, a person specially exempted by general or special order issued under clause 28 may acquire any essential article in accordance with the other provisions of this order.

(8) (i) The permit officer may, at any time after giving the permit holder an opportunity of being heard, revoke the permit issued to him for any of the following reasons, namely:-

- (a) that the permit has been obtained by the permit holder by mis-representation of material particulars,

(b) that any provisions of this Order or term or condition of a permit has been contravened by the permit holder.

(ii) A copy of the order revoking the permit shall be sent to the permit holder forthwith.

(iii) On receipt of the copy of the order under paragraph (ii), the permit holder shall forthwith surrender the permit to the permit officer.

(9) Where no price for sale of an essential article is fixed under any order made under the Act or under any law for the time being in force, the licence holder shall not charge in respect of sale of such essential article made by him a margin of profit in excess of, -

(a) subject to any margin fixed under paragraph (b), any maximum rate of margin fixed by a representative body of dealers or, as the case may be, of producers for the locality in consultation with licencing authority, or as the case may be, the State Government; or

(b) any rate of margin fixed by the State Government.

19. Restriction on sale, etc. by producer.-No producer shall sell, offer for sale, dispose of, deliver, or, as the case may be, distribute the stock of any essential article allotted to the State Government by the Government of India or an authority authorised by the Government of India, as the case may be, except under and in accordance with the sub-allocation given by the State Government, the Director of Civil Supplies or, as the case may be, an officer authorised by the State Government in this behalf:

Provided that in case of producer of petroleum and petroleum products nothing in this clause shall apply to any stock transferred by an Oil Company to another oil company.

20. Restrictions on use or disposal of essential articles.- No essential article specified in Schedule-II acquired by a person other than a dealer or producer or, as the case may be, a person specially exempted by general or special order, whether under a permit or otherwise shall be used for a purpose other than that for which such essential article has been acquired nor shall it be disposed of in any other manner.

Provided that where the essential article so acquired is to be used for a purpose other than that for which it has been acquired or is required to be disposed of in any manner, the person who has acquired the essential article shall intimate the Collector or the Food and Civil Supplies Controller, Ahmedabad City, or the licensing authority or the concerned permit officer, as the case may be, in writing, his proposed change of purpose and reasons thereof and shall not so use so dispose of, except after obtaining prior permission from the Collector or the Food and Civil Supplies Controller, Ahmedabad City or the Licensing Authority or the permit officer, as the case may be.

21. Power to direct disposal of stock.- Where any person holding any stock of any essential article does not wish to obtain a licence after the commencement of this Order or where any licence holder holding any stock of essential article does not wish to renew a licence or where his application for issue of a licence or renewal thereof has been refused or, as the case may be, his licence is suspended or cancelled, the licensing authority may direct such persons or the licence holder to dispose of his stock of essential articles by sale to such other person or persons or class of persons by such date as may be specified in the direction and the person or, as the case may be, the licence holder shall comply with such directions.

22. Prohibition against sellings at higher price than that fixed or displayed.- No person or as the case may be, license holder shall sell or deliver or dispose of or offer to sell, deliver or dispose of any essential article at a price higher than the fixed by the Government of India, the State Government, the Collector of a district or, as the case may be, the Food and Civil Supplies Controller, Ahmedabad City, in pursuance of powers conferred by any law for the time being in force or fixed by the producer and where no price is so fixed the price higher than that displayed by him in accordance with clause 16.

23. Maintenance of register of a accounts by dealer or producer.-(1) Every dealer or producer shall maintain a register of daily stock of essential article showing correctly the opening stock for the day, stock received during the day, the place from where and source from which received and stock delivered or otherwise removed and the closing stock of such essential articles in which he carries on the business as dealer or producer.

(1) The dealer or as the case may be producer, shall complete as far as possible his accounts for the day

immediately after closing his business for the day and shall in any case complete the same before opening of the premises the next day.

24. Power to issue directions to dealer or Producer. - (1) The State Government, the Director of Civil Supplies, the Director of Food, the Collector of a district or any licensing authority may in accordance with the provisions of this order and for ensuring fair and equitable distribution of essential article by general or special order, issue to any dealer or producer or class of dealers or producers such directions regarding maintenance, of accounts, maintenance of stocks, storage, sale, submission of returns, furnishing information, display of prices, issuance of invoice or cash memo, weighment, disposal, delivery or distribution of any essential article as it or he may deem fit.

(2) Every dealer or producer to whom any direction is issued under sub-clause (1) shall comply with such direction.

25. Powers to issue directions to persons other than dealer or producer. - (1) The State Government, the Director of Civil Supplies, the Director of Food, the Food and Civil Supplies Controller, Ahmedabad City, the Collector of the District, any licensing authority may in accordance with the provisions of this Order and for ensuring fair and equitable distribution of essential articles, by general or special order, issue to any person of class of persons (other than dealer or producer) such directions regarding -

- (i) implementation of distribution system referred to in clause 18.
- (ii) acquisition, storage, maintenance of stock and method of purchase of essential articles.
- (iii) maintenance of purchase bills and cash memo in respect of purchase of essential articles submission of returns or furnishing of information, and
- (iv) such other directions relating to just, proper and equitable distribution of essential articles, as it or he, as the case may be may deem fit.

(2) Every person other than a dealer or producer to whom any direction issued under sub-clause (1) shall comply with such direction.

26. Power of entry, search, seizure etc. - (1) Any Civil Supply Officer not below the rank of a Supply Inspector, any Revenue Officer, not below the rank of a Deputy Mamlatdar, or any police officer not below the rank of sub-Inspector and any other officer not below the rank of a class-II Gazetted Officer authorised by the State Government in his behalf may with a view to securing compliance with this Order and to satisfying himself that this Order has been complied with -

(i) enter and search any premises, vehicles, vessel or other conveyance with such assistance as may be necessary.

(ii) ask of any person all necessary questions.

(iii) examine any book or documents.

(iv) search and, so far as may be necessary for that purpose, detain any person, or seize.

(a) any stock of essential articles in respect of which he has reason to believe that a contravention of the provisions of this Order has been, is being or is about to be committed.

(b) any package, covering or receptacle in which such essential article is found.

(c) any animal, vehicle vessel or other conveyance used in carrying such essential articles if he has reasons to believe that such animal, vehicles, vessel or other conveyance is liable to be forfeited under the provisions of the Act.

(d) any book of accounts of documents which in the opinion of such person may be useful, or relevant to any proceeding under the Act and the person from whose custody such books of accounts or documents are seized shall be entitled to make copies thereof or to take extract therefrom in the presence of an officer having the custody of such books of accounts or documents.

(v) take, or cause to be taken, the weight or measure of all or any of the stocks of essential articles found in

any place.

(vi) direct by an order in writing any persons who owns or is in possession of any stocks of essential articles in respect of which he has reason to believe that a contravention of the provisions of this Order has been, is being or is about to be committed, not to remove or dispose of in any manner such stock of essential articles and the package, covering or receptacle in which such essential articles is found and any animal vehicles, vessel or other conveyance used in carrying such essential articles without further direction from the officer making such order.

(2) The provisions of section 100 of the Code of Criminal Procedure Act, 1973, (Act 2 of 1974) relating to search and seizure shall apply to search and seizure under this clause also:

Provided that if any such place or premises be found locked or unoccupied or unattended by or on behalf of the owners or occupier, the same may in the presence of two witnesses be broken open and entered into for all or any of the purposes aforesaid.

27. Exemption .- (1) The State Government may, if it is necessary in the public interest so to do, by general or special order, exempt any person or class of persons or body of persons whether incorporated or not, from the operation of all or any of the provisions of this Order, for such period and subject to such conditions (if any), as may be specified in such order and may at any time suspend or rescind such exemption.

(2) Nothing in this Order shall apply to the purchase, sale or storage, for sale of essential articles by or on behalf of-

(i) the Central Government, or

(ii) the State Government, or

(iii) the officers, departments, institutions or other organisations of the State Government or such agencies as may be approved by the State Government.

28. Power of the State Government to suspend all or any of the provisions .- Notwithstanding anything contained in the foregoing provisions of this Order, the State Government may, from time to time, by notification in the Official Gazette suspend for such period as may be specified in such notification, application of all or any of the provision of this Order in the whole State or any part thereof, and may at any time amend or rescind such suspension.

29. Repeal and Saving .- The Gujarat Sugar and Khandsari Dealers Licensing Order, 1963, the Gujarat Sugar (Declaration of Stock) Order, 1966, the Gujarat Foodgrains Dealers Licensing Order, 1972, the Gujarat Pulses, Edible Oilseeds and Edible Oils Dealers Licensing Order, 1977, the Gujarat Foodgrains (Declaration of Stock) Order, 1978 and the Gujarat Petroleum Products (Licensing, Control and Stock Declaration) Order, 1979, are hereby repealed :

Provided that such repeal shall not affect.-

(a) the previous operation of any order repealed under this clause (hereinafter referred to as the repealed Order) or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the repealed order, or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the repealed order; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment and any such investigation legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture, or punishment, may be imposed as if this Order had not issued:

Provided further that, subject to the preceding proviso, an order specified in Schedule-III made under the Order so repealed shall, in so far as it is not inconsistent with any provisions of this Order, be deemed to be made under the corresponding provision of this Order and shall, until altered, repealed or amended by any order made under this Order, continue in force accordingly.

SCHEDULE - 1

[See clause 2(8)]

PART-I**Food Stuffs**

- (1) *
- (2) Paddy
- (3) Rice
- (4) **
- (5) **
- (6) **
- (7) **
- (8) **
- (9) Wheat***

B. Pulses including dal whether whole or split with or without husk.

- (1) Tur
- (2) Moong
- (3) Arhar
- (4) ****
- (5) ****
- (6) ****
- (7) **** Gram
- (8) Urad
- (9) ****

(C) Edible Oilseeds

- (1) Groundnut shelled or unshelled
- (2) Til
- (3) Mustard
- (4) Rapeseed
- (5) Soyabean
- (6) Imported edible oilseds

*Deleted vide Order No. GTH/86/29/ECA/1086/GOI/120/B, dated 27-10-1986.

**Deleted vide Order No. GTH/95/40/ECA/1086/GOI/120/B, dated 14-8-1995.

***Inserted vide Order No. GTH/97/3/ECA/1086/GOI/120/B, dated 22-1-1997.

****Deleted vide Order No. GTH/99/27/PRC/1097/1610/B, dated 7-5-1999.

****Deleted vide Order No. GTH/99/27/PRC/1097/1610/B, dated 7-5-1999.

(7) ****

D. Edible Oils

(1) Groundnut oil (including solvent extracted).

(2) Til Oil, Mustard Oil, Rapeseed Oil, Cottonseed Oil, Soyabean Oil, Sunflower Oil.

(3) Hydrogenated vegetable oil.

(4) Imported edible oil means (a) PalmoleinP (b) Palmoil (c) Soyabean Oil (d) Sunflower Oil or (e) any other edible Oil containing any of the aforesaid Oils.

(5) ****

E. Sugar-Khandsari**P A R T - II****Other than Food stuff.**

(1) **

(2) Petroleum products namely:

(a) + Kerosene other than the kerosene sold under parallel Marketing System as defined in the order of the Government of India, Ministry of Petroleum and Natural Gas No. G.S.R. 584 (E) dated the 2nd September, 1993.

(b) **** light diesel oil e.g. Crude oil,

(c) high speed diesel oil,

(d) **** Petrol, (e)++ "Liquified Petroleum Gas other than the liquified petroleum gas sold under Parallel Marketing System as defined in the Notification of Government of India, Ministry of Petroleum and Natural Gas No. G.S.R. 529(E), dated 3-8-1993, or any other petroleum product specified for the purpose of this order by the State Government by a notification in the official Gazette.

Note :- Vide Notification No. GTH/95/54/PTP/1195/2401/B, dated, 4-12-1995, as amended vide Notification No. GTH/98/40/PTP/1195/2401/B, dated 14-12-1998, the State Government has specified "all solvents including Mineral Turperntine Oil which are mixtures of petroleum hydrocarbons" as a petroleum product.

(2) Vide Order No. GTH/98/41/PTP/1195/2401/B, dated 14-12-1998 issued under clause 24, the State Government has given certain directions to the producers and dealers of an essential article covered under (1) above. (The order is reproduced on page_____).

S C H E D U L E - II

(See clause 20)

(1) Deleted.

(2) Petroleum Products namely (a) Kerosene (b) light diesel oil (c) high speed diesel oil (d) petrol (e) liquified petroleum gas.

**Deleted vide Order No. GTH/88/40/CMT/1088/758/B, dated 15-12-1989.

+ Substituted vide Order No. GTH/23/KSN/1093/3015/B, dated 22-2-94.

*** Substituted vide Order No. GTH/85/31/KSN/1082/4943/B, dated 13th August, 1995.

**** Specified vide Order No. GTH/81/35/ECA/1181/3236/B, dated 24th August, 1981.

++ Substituted vide Order No. GTH/94/56/KSN/1093/3015/B, dated 20-7-94.

S C H E D U L E - III

(See second proviso to clause 29)

Sr. No.	Food and Civil Supplies Departments Order No. and date.
1.	GTH-78 -12-ECA-1277-8369-B dated 21-02-1978.
2.	GTH-78-19-ECA-1277-8369-B dated 22-03-1978.
3.	GTH-78-37-ECA-1277-GOI-172-B dated 18-05-1978.
4.	GTH-78-43-ECA-1277-8369-B dated 14-06-1978.
5.	GTH-79-26-ECA-1277-7869-B dated 24-04-1979.
6.	GTH-80-15-ECA-1279-4331-B dated 27-02-1980.
7.	GTH-80-20-ECA-1179-4621-B dated 18-03-1980.
*8.	GTH-80-22-ECA-1279-4331-B dated 21-03-198.
9.	GTH-80-25-ECA-1179-4621-B dated 05-04-198.
10.	GTH-80-47-ECA-1180-6419-B dated 10-07-1980.
11.	GTH-80-59-ECA-1180-6419-B dated 07-08-1980.
12.	GTH-80-66-GAKHAN-1180-9295-B dated 07-11-1980.
13.	GTH-80-67-CMT-1478-7706-B dated 11-12-1980.
14.	GTH-81-37-ECA-1281-82-B dated 03-03-1981.
**15.	GTH-81-8(1)-ECA-1081-411-B dated 06-03-1981.
16.	GTH-81-9-ECA-1081-757-B dated 07-03-1981.

*Deleted vide Order No. GTH/82/22/HSD/1281/2097/B, dated 24th August, 1982.

**Deleted vide Order No. GTH/83/33/ECA/1083/122/B, dated 12th October, 1983.

FORM 'A'

[See clause 4 (1)]

THE GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

Application for grant/renewal of licence for essential articles
(kind of essential articles to be shown)

1. Applicant's name and age.
2. Applicant's residence.
3. Applicant's profession
4. Category of licence required whether as retailer/hawker/wholesaler/commission agent/Producer. (Strike out which is not applicable).
5. Name in which licence is required.
6. Name and address of persons having interest in the firm* (in capacity of partners) for which licence has been applied for.
7. Whether the applicant is connected in any way with any other firm/licence holder dealing in essential articles? If so, in what capacity?
8. Situation of applicant's place of business with particulars as to No. of house, mohalla, town or village, Police station taluka and district.
9. Full particulars of godowns where the essential articles to be/will be stored.
10. Whether the applicant is a commission agent, distributor, Wholesaler, retailer, howker, Producer or any other kind of dealer.
11. Type of business being carried out at present.
12. How long has the applicant been trading in any of the essential articles?
13. Did the applicant at any time hold a licence under any of the repealed orders? (If so, give particulars thereof including its suspension or cancellation, if any).
14. Quantities of each essential articles handled annually during the last three years.
15. Quantities of any essential articles or all such essential articles likely to be handled during the current year.

**Inserted vide Order No. GTH/87/21/ECA/1086/388/B, dated 2-7-87.

16. Income tax paid in the two years preceding the year of application (To be indicated separately).

1.

2.

17. Central/Local Sales tax paid in the two years preceding the year of application (To be indicated separately).

1.

2.

18. Quantity of essential articles or all of such essential articles in the possession of the applicant on the date of application (separate figures are to be given for each essential article).

19. Whether the applicant desires to carry on business as a commission agent or wholesaler or retailer or hawker or producer.

20. Has the applicant been convicted in the court for any offence relating to essential articles ? if so, brief details thereof.

I declare that the quantities specified above are in my possession on this day and are held at the places noted above.

I have carefully read the conditions of the licence in Form "B" appended to the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 and I agree to abide by them.

*(a) I have not previously applied for such licences in this district for any of essential articles.

*(b) I applied for such licence in this district for and was/was not granted a licence on

*(c) I hereby apply for renewal of licence No. for period of five years.

*(d) I hereby apply for the reissue of licence No. dated issued to me on

I declare that the particulars given above are correct to the best of my knowledge and belief.

Place :

Dated :

Signature of Applicant.

£'F O R M B'

[See clause 4(2)]

THE GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

Licence for purchase/sale/storage for sale of essential articles, namely :-

Licence No. in the capacity of *retailed/hawker/wholesaler/Commission agent/Producer.

'Non-Transferable'**P A R T - 1**

1. subject to the provisions of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 and to the terms and conditions of this licence is/are hereby authorised to carry on business of the under mentioned essential articles as a* 'retailer/hawker/wholesaler/commission Agent/Producer.

Name of Essential Articles :

.....

.....

2. (a) The dealer/producer shall carry on the aforesaid business at the following place :-

.....

.....

.....

(b) Essential articles in which the aforesaid business as dealer/producer is to be carried out shall not be stored at any place other than any of the godowns/storage places mentioned below :-

.....

.....

.....

Note :- If the licence holder intends storing essential articles at places other than those specified above, he shall give intimation of the actual occupation of any such godowns within 96 hours of actual occupation thereof to the licensing authority and shall preserve duplicate copy of such intimation with him.

3. Every licence holder shall take adequate measures to ensure that essential articles stored by him are maintained in proper condition and that damages to essential articles due to ground moisture, rain, fire insects rodents, birds and such other causes are avoided. The licence holder shall also ensure that fertilizers, insecticides and poisonous chemicals likely to contaminate essential articles are not stored along with essential articles in the same godown or in an immediate juxtaposition of stocks of essential articles.

4. (1) The licence holder shall except when exempted by the State Government in this behalf, maintain a register of daily accounts relating to the transactions or dealings of each of the essential articles mentioned in paragraph (1) showing correctly :-

(a) the opening stock on each day.

(b) the quantity received by making purchases or otherwise on each day showing the place from

where and the source from which received.

(c) the quantities delivered or otherwise removed on each day showing the places of destination and

(d) the closing stock on each day.

(2) The licence holder shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause the burden of proving which shall be upon him.

5. The licence holder shall not contravene the provisions of Gujarat Essential Articles (Licensing Control and Stock Declaration) Order, 1981 or any other order relating to essential articles, issued under the Essential Commodities Act, 1955 (10 of 1955)

6. The licence holder shall not -

(i) Enter into any transaction involving, purchase, sale or storage for sale of any essential articles in a speculative manner prejudicial to the maintenance and easy availability of supplies of essential articles in the market.

(ii) withhold from sale, supplies of essential articles ordinarily kept for sale, or

(iii) subject to condition 8, charge in respect of sale of essential articles made by him a margin of profit in excess of-

Any margin fixed by the State Government and in absence of any margin so fixed any maximum rate of margin fixed by a representative body of dealers or, as the case maybe, of producers for the locality in consultation with the licensing authority or, as the case maybe, the State Government.

7. The licence holder shall daily exhibit on a board placed at the entrance or at some other conspicuous part of the premises where he carries on his business, his name the price list of essential articles held by him for sale and the availability or non-availability of stocks of essential articles in legible writing in Gujarati language.

8. The licence holder shall not sell or offer to sell essential articles at a price higher than the price, if any fixed under any law for the time being in force or the price so displayed.

9. The licence holder shall, except when specially exempted by the State Government or by the licensing authority in this behalf issue to every customer a correct receipt or invoice, as the case may be giving his own name, address and licence number, the name address the licence number (if any) of the purchaser, the date of transaction, the quantity of essential articles sold, the price at which it is sold and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any office authorised by it in this behalf :

Provided that it shall not be necessary to issue such receipt or invoice in respect of retail sale costing not more than fifteen rupees unless demanded by a customer but, true and correct account of such sale showing therein the date of sales, quantity of essential articles so sold and price charged shall be maintained.

10. The licence holder shall give all facilities at all reasonable time to the licensing authority or any officer specified in or authorised under clause 26 of the Order for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of essential articles and for taking of samples of essential articles for examination.

11. The licence holder shall in a case where the functions in a regulated market, abide by such instruction relating to his business as are given by the marketing authority having jurisdiction and in any other case by such body as may be recognised by the State Government in this behalf.

12. The licence holder shall furnish, in writing, supported by relevant documents, any change in the particulars

in Part-II of licence, to the licensing authority within seven days from the date such change takes place.

13. Any change in the ownership of business as shown in Part-II of the licence shall amount to transfer of licence to the ownership so changed resulting in contravention of such-clause (3) of clause 4 of the Order unless such transfer of licence is approved by the licensing authority.

14. This licence shall be attached to any application for renewal.

15. This licence shall be valid upto the 31st December.

DETAILS ABOUT THE RENEWAL OF LICENCE

This licence is hereby renewed upto :-

Signature of the
Licensing Authority.

- (1)
- (2)
- (3)
- (4)
- (5)

PAART -II

Names and addresses of person having Interest in the firm/association of persons/Company/ Corporation/Co-operative Society for which the licence has been issued.

Sr. No.	Full Name of person and his postal address	Details about the Status /Share/Interest.
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Place :

Date :

Signature of
Licensing Authority.

FORM - "C"

(See Clause 17)

Return to be furnished by the Licence Holder to the concerned Licensing Authority

Name of Licence holder with licence no.....

Name of the essential article

Return for the fortnight ending on

(1) Opening Stock

(2) Stock received by way of -

A. Production /Process

B. purchase/any other manner

C. Total

(3) Total of (1) and (2)

(4) Stock disposal by way of -

A. Process

B. Sales

(i) within the State of Gujarat

(ii) outside the State of Gujarat

(iii) Total

C. Grand Total

(5) Closing balance (3) - (4)

(6) Remarks, if any,

Date :

Signature of the dealer.

To,
The Licensing Authority (concerned).

N. B. (i) Weight is to be entered in quintals/litres

(ii) Essential articles pledged with bank etc. are also to be included in the above figures and note be given in remarks column.

(iii) Fraction need not be mentioned. Figures may be rounded off to the nearest quintal/litre.

(iv) Small packs may also be converted into quintals etc. and then included in this return.

**4. MAJOR ORDERS MADE UNDER
THE PROVISIONS OF THE
AFORESAID ORDER
(LICENSING ORDER-1981)**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 12th November, 1981.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-81-40-ECA-1281-6109-B.— In Pursuance of paragraph (c) of sub-clause (13) of clause 2 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby appoints the officer specified in column 2 of the Schedule appended hereto as the Licensing Authority, except clause 4,5,6,7 and 17 of the above order in relation to the area specified against him in column 3 of the said schedule.

SCHEDULE

Sr. No. 1	Officer 2	Area 3
1.	District Supply Officer	Within his jurisdiction
2.	Supply Mamlatdar, Gandhinagar	Within his jurisdiction
*[3.	Joint Director in the Office of the Director of Civil Supplies	Gujarat State
4.	Deputy Director in the office of the Director of Civil Supplies	Gujarat State]

By order and in the name of the Governor of Gujarat,

R. K. SOLANKI,
Under Secretary to Government.

*Inserted vide F.C.S. & C.A.D. Order No. No. GTH-98-20-ECA-1098-363-B, dated 14-5-1998.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 8th January, 1982.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-82-2-ECA-1181-5683-B.— In Pursuance of paragraph (d) of sub-clause (16) of clause 2 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby appoints the Officer specified in column 2 of the Schedule appended hereto as the permit officer in relation to the area specified in column 3 of the said schedule in addition to the existing permit officer specified in paragraph (b) of said sub-clause (16) of clause 2.

SCHEDULE

Sr. No. 1	Officer 2	Area 3
1.	Food and Civil Supplies Controller, Ahmedabad City.	(i) The area of the City taluka of Ahmedabad District, (ii) The area within the jurisdiction of the Commissioner of Police, Ahmedabad City.

By order and in the name of the Governor of Gujarat,

R. K. SOLANKI,
Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 28th July, 1998.

ESSENTIAL COMMODITIES, ACT 1955.

No. GTH-98-26-ECA-1098-363-B.— In exercise of the powers conferred by clause (i) of sub-section 2 of section 3 of the Essential Commodities Act, 1955, read with the Order of the Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-operation) No. S.O. 681 (E) dated 30th November, 1974 and the Ministry of Agriculture and Irrigation (Department of Food) G.S.R. No. 800 dated 9th June, 1978, the Government of Gujarat hereby makes the following Order further to amend the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, namely :-

1. (1) This order may be called the Gujarat Essential Articles (Licensing, Control and Stock Declaration) (Amendment) Order, 1998.
(2) It shall come into force at once.
2. In the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, after sub-clause (1) (b) and before sub-clause (1) (c) of clause 11, the following shall be inserted:
“(ba) to the Director of Civil Supplies where the licensing authority which made the order is the Joint or Deputy Director of Civil Supplies.”

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL
Joint Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT**Order**

Sachivalaya, Gandhinagar, 6th May, 1994.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-94-43-SGR-1194-GOI-7-B.— Whereas, it is necessary, in the public interest, so to do;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (1) of section 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby exempts persons who import sugar under Open General Licence from obtaining wholesale dealers licence under clause 3 of the said order.

By order and in the name of the Governor of Gujarat,

S. D. DAVE,

Under Secretary to Government.

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
DEPARTMENT****Order**

Sachivalaya, Gandhinagar, 30th April, 1999.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-99-23-PRC-1099-657-B.— In Pursuance of sub-clause (1) of clause 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred as the "said Order") the Government of Gujarat hereby exempts "huller" (One type of small rice mill) from obtaining license required under clause 3 of the said Order.

By order and in the name of the Governor of Gujarat,

G. K. RATHOD,

Section Officer.

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
DEPARTMENT****Order**

Sachivalaya, Gandhinagar, 6th April, 1994.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-99-13-ECA-1181-537-Part-I-B.— Whereas, it is necessary in the public interest, so to do;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (1) of clause 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred to as "the said Y-1727-14

Order") the Government of Gujarat hereby exempts every dealer in petrol, high speed diesel oil and light diesel oil from displaying the daily opening stock of essential articles as required under the provisions of clause-16 of the said Order.

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
DEPARTMENT**

Order

Sachivalaya, Gandhinagar, 6th April, 1999.

**GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION)
ORDER, 1981.**

No. GTH-99-14-ECA-1181-537-Part-I-B.- Whereas, it is necessary, in the public interest, so to do;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (1) of clause 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred to as "the said Order") the Government of Gujarat hereby exempts every producer from the operation of the provisions of clause-16 of the said Order.

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
DEPARTMENT**

Order

Sachivalaya, Gandhinagar, 6th April, 1999.

**GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION)
ORDER, 1981.**

No. GTH-99-15-ECA-1181-537-Part-I-B.- Whereas, it is necessary, in the public interest, so to do;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (1) of clause 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred to as "the said Order") the Government of Gujarat hereby exempts dealer in petrol, high speed diesel oil and light diesel oil from the operation of the provisions of clause-17 (1) of the said Order.

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 7th May, 1999.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-99-26-PRC-1097-1610-B.- Whereas, it is necessary, in the public interest, so to do;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (1) of clause 27 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred to as "the said Order") the Government of Gujarat hereby exempts all persons, other than those dealing in or transporting articles covered under the public distribution system, from the operation of items (i) and (ii) of sub-clause (3) of clause 18 of the said Order.

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

અન્ન, નાગરિક પુરવઠા અને ગ્રાહકોની બાબતોનો વિભાગ,

આદેશ

સચિવાલય, ગાંધીનગર ૨૧મી સપ્ટેમ્બર, ૧૯૯૯.

ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ, ૧૯૮૧.

ક્રમાંક : જીટીએચ/૯૯/૪૧/એલપીજી/૧૦૯૭/૪૪૪૧/બ, - ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ ૧૯૮૧ ની કંડિકા-૨૪થી મળેલ સત્તાની રૂએ, ગુજરાત સરકાર આથી આદેશ કરે છે કે, સને ૧૯૯૯ નાં ઓક્ટોબર માસની ૧લી તારીખથી દરેક રાંધણ ગેસ વિકેતાએ નીચે જણાવેલ બાબતોનો ચુસ્તપણે અમલ કરવાનો રહેશે.

- (૧) રાંધણ ગેસના વિકેતા દ્વારા ગેસના નવા જોડાણ આપતી વખતે ગ્રાહકને નવી સગડી (સ્ટવ) ખરીદવાની ફરજ પાડી શકાશે નહિં.
- (૨) ગ્રાહક પાસે સગડી આઈ.એસ.આઈ માર્કની અથવા તો આયાતી હોય અથવા તેઓ તે અન્ય જગ્યાએથી ખરીદ કરવા ઇચ્છતા હોય તો વિકેતા દ્વારા નવા કનેક્શન છૂટા કરવામાં પ્રત્યક્ષ કે પરોક્ષ રીતે કોઈપણ પ્રકારની અવરોધકારક પ્રવૃત્તિ આચરવામાં આવશે નહિ.
- (૩) ગ્રાહક પાસે સગડી આઈ.એસ. આઈ. માર્કની હોય તે પુરતું ગેસ વિતરક/વિકેતા દ્વારા વ્યાજબી રીતે ખરાઈ કરી શકાશે પરંતુ ખરાઈ કરવાના બહાને તેઓ દ્વારા કોઈ અડચણ ઉપસ્થિત કરવામાં આવશે નહિં.
- (૪) ઉપર્યુક્ત ૧ થી ૩ સૂચનાની સમજ આપતી સ્પષ્ટ જાહેરાત ગુજરાતી ભાષામાં દરેક ગેસ વિતરકે ધંધાના સ્થળે જાહેરમાં જોઈ તથા વાંચી શકાય તે રીતે પ્રદર્શિત કરવાની રહેશે.

ગુજરાત રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

પી. એલ. ઝાલા,
સરકારના ઉપ સચિવ.

FOOD AND CIVIL SUPPLIES DEPARTMENT Order

Sachivalaya, Gandhinagar, 27th November 1989.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-89-73-ECA-1088-1523-B.- In exercise of the powers conferred by sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that with effect on and from 28th November, 1989 :-

- (1) a producer holding a licence in respect of edible oils may sell the commodity to a retailer or a consumer besides a wholesaler or a commission agent;
- (2) no wholesaler holding a licence in respect of edible oils shall sell the commodity to any person except a retailer (including himself if he is a retailer also) or a bulk consumer :

Provided that a wholesaler may sell the stock of edible oils in respect of which he holds the licence-

- (a) Purchased by him in his capacity as broker, commission agent or any other agent having authority to sell on behalf of his principal, or
- (b) imported by him from outside the State, or
- (c) purchased by him from any producer, to another wholesaler:

Provided further that the wholesaler to whom the stock of edible oils is sold in accordance with the first proviso shall not sell the same to any person except a wholesaler, a retailer or a bulk consumer;

*[Provided that the wholesaler to whom the stock of edible oils is sold in accordance with the second proviso shall not sell the same to any person except a wholesaler, a retailer or a bulk consumer.]

Provided also that the wholesaler to whom the stock of edible oils is sold in accordance with the *[third] proviso shall not sell the same to any person except a retailer or bulk consumer;

- (3) no retailer holding a licence in respect of edible oils shall sell the commodity to another producer, wholesaler or retailer in such commodity.

By order and in the name of the Governor of Gujarat,

ARUN KUMAR,

Deputy Secretary to Government.

* Inserted by F. & C.S.D. Order No. GTH-95-20-ECA-1195-981-B, dated 23-5-1995.

* Substituted by F. D., C.S.D. order No. GTH-95-20-ECA-1195-981-B dated 23-5-1995.

FOOD AND CIVIL SUPPLIES DEPARTMENT Order

Sachivalaya, Gandhinagar, 23th May, 1995.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-95-28-ECA-1195-981-B.-In exercise of the powers conferred by sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of

Gujarat hereby amended the Government Order, Food and Civil Supplies Department No. GTH-89-73-ECA-1088-1523-B, dated 27th November, 1989, namely :-

(1) In the said order after the second proviso to paragraph (2) the following proviso shall be inserted, namely :-

“Provided that the wholesaler to whom the stock of edible oils is sold in accordance with the second proviso shall not sell the same to any person except a wholesaler, a retailer or a bulk consumer” :

(2) In the said order, in the last proviso to paragraph (2), for the word “second” the words “third” shall be substituted.

By order and in the name of the Governor of Gujarat,

B. R. PATNI,
Under Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 21st April, 1992.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-92-4-ECA-1090-2055-B.—In exercise of the powers conferred by sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby issues the following directions to licence holders dealing in the business of edible oils such as retailer, wholesaler, commission agent and producer, namely :-

(1) Every such licence holder shall maintain separate accounts and separate stock registers in respect of such edible oil and each brand of edible oil.

(2) Every such licence holder, while issuing in relation to any transaction carried out by him a receipt, cash memo or, as the case may be an invoice (as required by paragraph 9 of the licence in Form-B to the said Order), shall also specify therein the brand of edible oil in which has carried out the transaction.

(3) Every such licence holder while exhibiting the price list of essential article held by him for sale and availability thereof (as) required by paragraph-7 of the licence in Form-B to the said Order), shall also specify therein separate stock of brandwise edible oils.

(4) It shall come into force with effect on and from 1st May, 1992.

By order and in the name of the Governor of Gujarat,

K. D. RATHOD,
Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIR DEPARTMENT

Order

Sachivalaya, Gandhinagar, 14th August, 1998.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

Y-1727-15

No. GTH-98-29-ECA-1097-2117-B.-In pursuance of sub-clause (i) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that with effect on and from 10th August, 1998 :-

(i) No. dealer shall, either by himself or by any person on his behalf, store or have in his possession at any time any edible oil seeds or edible oils in excess of the quantities specified below :-

Commodities	<u>Stock limits in quintal in the case of</u>		Remarks
	Wholesaler	Retailer	
(i) Edible oil seeds including groundnut in shell.	2000	100	All edible oil seeds taken together
(ii) Edible oils including hydrogenated vegetable oils.	600	20	All edible oils including hydrogenated vegetable oils.

Provided that where a dealer is also carrying on business as a producer or commission agent, he shall be entitled to retain the stock limit specified above for each such business, if such business and accounts thereof are kept separate and distincts from one another.

Provided further that no exporter shall be entitled to hold stock of seeds/pods in the following proportion in addition to the normal storage limits prescribed above.

Sr. No.	Particulars	For every Export contract of	(Qty. in M.T.) Stock exemption for raw material requirement (Seeds/Pods)
(1)	Sunflower extraction	1000	1670
(2)	Groundnut extraction	1000	1790
(3)	Soya extraction	1000	1210
(4)	H. P. S. Groundnut Kernels	1000	2500
(5)	Sesame seed	1000	1250
(6)	Mustard/rapeseed	1000	1695 and extraction.

The above exemption will be subject to the production of the following documents.

- (i) Copy of the export order or contract from the export buyer.
- (ii) Certified copy of the Registering Authority registering the export contract.

(2) No producer shall store or have in his possession at any time edible oilseeds or, as the case may be, edible oils in excess of the quantity specified in the corresponding entry in column (1) of the table below and he shall not hold the stock in excess of the quantity specified in the corresponding entry in column (2) of the table.

Quantity of edible oil seeds 1	Quantity of stock of edible oils including refined oil. 2
(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.
One eighth of the maximum quantity of edible oil seeds used by him in any of the three years ending on the 31st day of July, 1998.	For a period of one year from the date of commencement of his production one-eighth of the quantity of edible oil seeds that would be required for producing the quantity equal to his annual installed capacity. For the second years and third year of his production, 1/8th of the quantity of edible oilseeds that would be required for producing a quantity equal to his annual installed capacity, and thereafter one eighth of the maximum quantity of edible oilseeds used by him in any of the three years immediately after the commencement of his production.

(a) Producer who is carrying on business on the commencement of this Order.

One-twenty forth of his maximum production in any of the three years ending on the 31st day of July, 1998.

(b) Producer who has commenced production after the commencement of this Order.

For a period of one year from the date of commencement of his production 1/24th of a quantity equal to his annual installed capacity. For the second years and third year of his production, 1/24th of the quantity equal to his annual installed capacity, and thereafter 1/24th of the maximum of his production, in any of the three years immediately after the commencement of his production."

"Note :— For the purpose of computing the stock limit specified in column (3) (a) and (3) (b) above, the raw oils (except solvent) extracted oils, oils in process or in semi processed state and finished product shall be taken into consideration."

Provided also that where any quantity of edible oils or edible oilseeds is in transit, then for the purpose of this sub-clause such quantity shall not, during the period when such quantity is in transit, be deemed to have been included in stocks of the dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put such transit.

(3) Every dealer or producer shall, immediately on the expiry of the period specified in this order, give intimation to the Collector regarding the stocks of any edible oilseeds or edible oils left with him or any other person on his behalf in excess of the stocks prescribed in column (1) and (2) and such stock shall not be disposed of by the dealer or other person except in accordance with directions of the Collector.

(4) Nothing in this order shall apply to—

(a) A Corporation or a Company owned or controlled by the Central Government or a State Government or a Statutory Corporation;

Or

(b) A Central level or a State level Cooperative Society engaged in the production, procurement, sale, purchase or distribution of edible oils.

Or

*[(c) imported edible oils and Groundnut seeds/Groundnut oil imported from outside the State.]

By order and in the name of the Governor of Gujarat,

B. Z. HALVADIA,
Under Secretary to Government.

*Inserted vide F.C.S. & C.A.D. Order No. GTH-98-31-ECA-1097-2117-B, dated 15-9-1998.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 4th December, 1995.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-95-51-PTP-1195-2401-B.—In Pursuance of item (2) in Part-II of Schedule-I to the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, read with the Government of India, Ministry of Petroleum and Chemicals, Notification No. G. S. R. 396 (E) dated the 18th November, 1974, the Government of Gujarat hereby specified *[all solvents including mineral turpentine oil which are mixtures of petroleum hydrocarbons] as a petroleum product for the purposes of the said order.

By order and in the name of the Governor of Gujarat,

B. R. PATNI,
Under Secretary to Government.

*Substituted for the words "solvents of all types including mineral turpentine oil" vide F.C.S. & C.A.D. Notification No. GTH 98-40-PTP-1195-2401-B, dated 14-12-1998.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 14th December, 1998.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-98-41-PTP-1195-2401-B.—In Pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that for an item specified in Food and Civil Supplies Department Notification No. GTH-95-54-PTP-1195-2401-B, dated 4th December, 1995 as amended from time to time.

(1) A producer shall obtain a certificate from the Forensic Science Laboratory, Ahmedabad containing the name and characteristics of the article;

(2) A producer shall, together with his application for license in Form "A" of The Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 submit the certificate mentioned in (1) above;

(3) The licensing authority shall enter the name of the article as mentioned in the certificate issued under (1) above and the number of the certificate alongwith the Name of Essential Article in the license issued in

Form "B" of the The Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981.

(4) A producer shall obtain a certificate mentioned in (1) above for each of the articles produced by him, and separate certificate shall be obtained for an article with different brand name or characteristics. authority alongwith the Name of Essential Article in the license issued to the dealer in Form "B" of The Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981.

By order and in the name of the Governor of Gujarat,

B. Z. HALVADIA,
Under Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 5th July, 1996.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-96-9-ECA-1196-237-B.—In exercise of the powers conferred by sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that every licence holder shall maintain stock register in respect of petrol and diesel separately and shall certify and sign the accounts every 15 days.

By order and in the name of the Governor of Gujarat,

B. R. PATNI,
Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 11th June, 1998.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH-98-24-MIS-1095-3222-B.—In pursuance of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that every license holder shall with effect on and from 11th July, 1998 preserve receipt or invoice register of daily accounts and invoice or a gate pass for two years and shall not destroy such documents without prior permission of the Collector of respective district and in relation to the city of Ahmedabad, as the case may be, the Food and Civil Supplies Controller, Ahmedabad.

By order and in the name of the Governor of Gujarat,

B. Z. HALVADIA,
Under Secretary to Government.

અન્ન, નાગરિક પુરવઠા અને ગ્રાહકોની બાબતોનો વિભાગ,

આદેશ

સચિવાલય, ગાંધીનગર ૯મી જૂન, ૧૯૮૯.

ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ, ૧૯૮૧.

ક્રમાંક : જીટીએચ/૮૮/૩૨/૧૦૮૮/૧૨૮૦/બ.— ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ ૧૯૮૧ ની કંડિકા-૨૪થી મળેલ સત્તાની રૂએ, ગુજરાત સરકાર આથી આદેશ કરે છે કે, સને ૧૯૮૯ના જૂન મહિનાની ૧૬મી તારીખથી—

- (૧) પેટ્રોલ અને ડીઝલના સંબંધમાં લાયસન્સ ધરાવનાર વેપારી પોતાના પેટ્રોલ પંપ ઉપર પેટ્રોલ/ડીઝલમાં ભેળસેળ ચકાસવા માટે વાહન ચાલક ફીલ્ટર પેપર ટેસ્ટ કરી શકે તે માટેના સાધનો ઉપલબ્ધ રાખશે.
- (૨) પેટ્રોલ/ડીઝલ પંપ ઉપર સહેલાઈથી વાંચી શકાય તે રીતે લખવામાં આવે કે આવા સાધનો પંપ ઉપર ઉપલબ્ધ છે.
- (૩) ફીલ્ટર પેપર ટેસ્ટ કેવી રીતે કરવો તેની ટૂંકી સમજ આપતી સહેલાઈથી વાંચી શકાય તેવી તકતી પેટ્રોલ પંપ ઉપર મુકવાની રહેશે.
- (૪) કોઈપણ વ્યક્તિ ફીલ્ટર પેપર ટેસ્ટ કરવા માટે માંગણી કરે તો તેને જરૂરી સાધનો અને સુવિધા પૂરી પાડવાની રહેશે.

ગુજરાત રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

પી. એલ. ઝાલા,
સરકારના ઉપ સચિવ.

**5. GUJARAT ESSENTIAL ARTICLES
DEALERS, (REGULATION)
ORDER—1977**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 21st September, 1977.

(Amended upto 30-9-1999)

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/77/52/RSA/4177/1986/B.—WHEREAS the Government of Gujarat is of the opinion that it is necessary and expedient so to do for maintaining supplies of essential articles and for securing their equitable distribution and availability at fair price;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of Government of India, Ministry of Agriculture (Department of Food) No.GSR-316 (E), dated the 20th June, 1972 and the orders of the Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies and Cooperation) Nos. S. O. 681 (E) and S. O. 682 (E), dated 30th November, 1974, the Government of Gujarat hereby makes the following order, namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Gujarat Essential Articles Dealers (Regulation) Order, 1977.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires—

(1) “agriculturist” means a person who cultivates land personally within the meaning of the Gujarat Agricultural Lands Ceiling Act, 1960, for the time being in force, whether as owner, tenant, mortgagee in possession or in any other capacity;

(2) “competent authority” means such officer as the State Government may, by general or special order, appoint to perform the functions of a competent authority under this Order, whether generally or in any area of the State;

(3) “consumer” means a person who obtains by purchase or otherwise any essential article for his consumption or, as the case may be, use and not for transfer by sale, distribution or otherwise;

(4) “dealer” means a person who whether for commission, remuneration or otherwise and whether or not in conjunction with any other business, carries on the business of purchase, sale, storage for sale or manufacture, of any essential articles and includes his representative or agent, but does not include—

(a) for the purpose of all clauses except clauses 3 and 4 of this order, a person in relation to any essential commodity in respect of which he holds or is required to hold a licence or, as the case may be, an authorisation under any order for the time being in force, issued by the State Government under section 3 of the Essential Commodities Act, 1955;

(b) an agriculturist who stores and sells essential articles produced by him by personal cultivation and does not engage in the business of purchase, sale or storage for sale of any essential articles not produced by him by personal cultivation.

(c) a hawker or a peddler.

(5) “essential article” means any of the articles specified in Schedule-1.

(6) "Schedule" means a Schedule appended to this Order.

3. Opening stock and the price list to be displayed at the place of business.—Every dealer shall, daily display * at the entrance or at some other conspicuous part of the premises where he carries on his business—

(a) the availability or non-availability of such of the essential articles in which he carries on his wholesale or retail business and wholesale, or as the case may be retail prices of the articles which are so available, not being a prepacked commodity governed by the Packaged Commodities (Regulation) Order, 1975; and

(b) opening stock of such of the essential articles specified in Schedule-II in which he carries on his wholesale or retail business * in the Gujarati Language and in the manner so as to be easily accessible for consultation by the consumer.

Provided that the retail price of any essential article so displayed shall not exceed the retail price, if any, fixed or recommended by the manufacturer or producer in respect of that article.

Provided further that a manufacturer, who does not carry on retail trade at the further premises where he carries on his business, shall not be required to display details as required in sub-clauses (a) and (b).

4. Dealer not to sell essential article at a price higher than that fixed or displayed.—No dealer shall sell or offer to sell any essential article at a price higher than that, if any, fixed for such sale, by the Central Government or, as the case may be, by the State Government in pursuance of the powers conferred by any law for the time being in force or where no price is fixed by the Central Government or, as the case may be, State Government, a price higher than that displayed by him under clause 3.

5. Margin of Profit.—Where the Central Government or the State Government has not fixed any price of an essential article, a dealer shall not charge in respect of sales of such essential article made by him a margin of profit in excess of any margin fixed by a representative body of dealers in the locality consultation with the competent authority.

6. Dealer not to enter in speculative transactions.—No dealer shall enter into any transaction involving purchase, sale or storage for sale of any essential article in a speculative manner prejudicial to the maintenance and easy availability of supply of the essential article in the market.

7. Dealer not to withhold supplies of essential articles from sale.—No dealer shall withhold from sale supplies of an essential article ordinarily kept for sale.

8. Issue of invoice or receipt.—No dealer shall sell any essential article without issuing a cash memo or a bill and no dealer shall issue a cash memo or a bill without keeping a duplicate copy of such memo or bill.

Provided that no such cash memo or bill shall be issued in respect of retail sale of an essential article costing not more than Rs. 15/-unless demanded by the purchaser.

Provided further that a cash memo or a bill issued by a + dealer shall indicate the name, address and the licence or authorisation number, if any, of the purchase.

9. Maintenance of Register of Accounts.—(1) The dealer shall maintain a register of daily stock showing correctly the opening stock for the day, stock received during the day, the place from where and the source from which received and the stock delivered or otherwise removed and the closing stock, of such of the essential articles in which the dealer carries on his business.

(2) The dealer shall complete, as far as possible, his accounts for the day immediately after closing his business for the day and shall in any case complete the same before opening of the premises the next day.

* Substituted vide F. & C.S.D. Order No. GTH/79/62/ECA/1079-42-B, dated 21-11-1979.

+ Substituted vide F. & C.S.D. Order No. GTH/79/56/ECA/1179-11-B, dated 12-11-1979.

Note :-

Vide Order No. GTH/99/25/PRC/1097/7610/B, Dated 7-5-1999 issued under sub-clause (2) of clause 12, the Government has exempted a dealer in whose possession the stock of essential articles at any time does not exceed the quantities specified against it in the "Table" below from the Provisions of clause 9.

TABLE

Sr. No.	Essential Articles	Stock limit
1.	Edible oilseeds including groundnut in shell	10 quintals
2.	Edible oils	1.5 quintals
3.	Foodgrains (other than wheat & rice)	
	(a) any one foodgrain	10 quintals
	(b) all foodgrains taken together	25 quintals
4.	Pulses	5 quintals for all pulses taken together.
5.	Gur	10 quintals

10. Power to issue direction to dealers .-The State Government, Director of Civil Supplies, Director of Food, the competent authority or any officer authorised by the State Government in this behalf may by general or special order, issue to any dealer or class of dealers such directions regarding maintenance of Accounts and preservation of Record thereof, submission of information in respect of the stock of essential articles or regarding maintenance of stocks, storage, sale, price, weighment, disposal, delivery or distribution of essential articles, as it or he, as the case may be, deem fit.

11. Power of entry, search, seizure etc.- Any Civil Supply Officer not below the rank of a Supply Inspector, any Revenue Officer not below the rank of a Deputy Mamlatdar or any Police Officer not below the rank of a Police Sub-Inspector and any other officer authorised by the State Government in this Behalf may with a view to securing compliance with this order and to satisfying himself that this Order has been complied with,-

(i) enter and search any premises, vehicle, vessel or any other conveyance with such assistance as may be necessary,

(ii) ask of any person all necessary questions,

(iii) examine any books or documents,

(iv) search and, so far as may be necessary for the purpose, detain any person and seize-

(a) any stock of essential article 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;

(b) any package, covering or receptacle in which such essential article is found;

(c) any animal, vehicle, vessel or other conveyance used in carrying such essential article if he has reason to believe that such animal, vehicle, vessel or other conveyance is liable to be forfeited under the provisions of the Act;

(d) any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Act;

(e) take, or cause to be taken, the weight or measure of all or any of the stocks of essential articles found in any place in any place;

(f) direct by an order in writing any person who owns or is in possession of any stock of any essential article in respect of which he has reason to suspect that a contravention of the provisions of this Order has been, is being or is about to be committed not to remove or dispose of in any manner such stock of essential article and the package, covering or receptacle, in which such essential article is found and any animal, vehicle, vessel or other conveyance used in carrying such essential article without further directions from the officer making such order.

Provided that the provisions of section 100 of the Code of Criminal Procedure Act, 1973 (Act 2 of 1974) relating to search and seizure shall apply to search and seizure under this clause.

12. Exemption.— (1) Nothing containing in this Order shall apply to the Food Corporation of India established under Food Corporation Act, 1964 (37 of 1964).

(2) The State Government may, if it is necessary in the public interest so to do, by general or special Order, exempt any person, class of persons or body of persons whether incorporated or not, from the operation of all or any of the provisions of this Order for such period and subject to such conditions, if any, as may be specified, and may at any time suspend or rescind such exemption.

13. Power of the State Government to suspend all or any of the provisions.—Notwithstanding anything contained in the foregoing provisions of this Order, the State Government may, from time to time, by notification in Official Gazette suspend, for such period as may be specified in such notification, application of all or any of the provisions of this Order in the whole State or any part thereof.

SCHEDULE-I

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

[See clause 2 (5)]

A. Following articles of foodstuff, that is to say—

- (1) Wheat
- (2) Rice
- (3) Jower
- (4) Bajra
- (5) Maize
- (6) Gram
- (7) Tur
- (8) Moong
- (9) Atta
- (10) Maida
- (11) Soji
- (12) Tur Dal
- (13) Moong Dal
- (14) Gram Dal
- (15) Sugar as defined in clause (e) of Section 2 of the Act.
- (16) Gur
- (17) *

B. Prepared foodstuffs.

- (18) Bread (double roti)
- (19) *

C. Oils and Oil-Seeds.

- (20) Groundnut Oil (loose or in pack)
- (21) Mustard Oil (loose or in pack)
- (22) Cottonseed Oil (loose or in pack)
- (23) Hydrogenated vegetable Oil (loose or in pack)

* Deleted vide Government Order No. GTH/99/7/RSA/1190/3007/B, dated 11-2-1999.

- (24) **
- (25) Maize (Corn) Oil
- (26) **
- (27) Palm Oil
- (29) **
- (30) Soyabean Oil
- (31) Sunflower Oil
- (32) **
- (33) Imported edible Oils
- (34) Groundnut in pod and groundnut kernal (without further processing)
- D. (35)**
- F. Following articles of Petroleum Products, that is to say-
 - (36) Petrol and High Speed Diesel ex-pump, motor oils in sealed tins, Superior Kerosene Oil, Light Diesel Oil and Liquified Petroleum Gas.
- G. Other Essential Articles
 - (37) to (40) *
 - (41) Cloth, the price of which is controlled by Government.
 - (42) *
 - (43) Exercise note books
 - (44) *

SCHEDULE-II

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

[See clause 3 (b)]

- (1) Suger and Khandsari
- (2) Hydrogenated Vegetable Oil
- (3) Groundnut Oil.
- (4) *
- (5) *

By order and in the name of the Governor of Gujarat,

Secretary to Government.

** Deleted vide Government Order No. GTH/99/28/PRC/1097/1610/B, dated 7-5-1999.

* Deleted vide Government Order No. GTH/99/7/RSA/1190/3007/B, dated 11-2-1999.

**6. MAJOR ORDERS MADE UNDER THE
PROVISIONS OF THE AFORESAID
ORDER-(1977) WHICH ARE CURRENTLY
IN FORCE**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 21st September, 1977.

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

No. GTH/77/53/RSA/4177/1986/(1) B.—In Pursuance of sub-clause (2) of clause 2 of the Gujarat Essential Articles Dealers' (Regulation) Order, 1977, Government of Gujarat hereby appoints each of the officers specified in column 1 of the Schedule appended hereto as a competent authority in the areas specified against him in column 2 of the said Schedule for the purpose of the said Order.

SCHEDULE

Officers	Area
1. Director of Civil Supplies	Whole of the State of Gujarat
2. Collectors of all Districts except the Collector of Ahmedabad District	Areas under their respective jurisdiction.
3. Collector of District of Ahmedabad	Area under his jurisdiction except the City of Ahmedabad as constituted under the Bombay Provincial Corporations Act, 1949.
4. Food and Civil Supplies Controller	City of Ahmedabad as constituted under the Bombay Provincial Corporations Act, 1949.
5. Additional Collector, Gandhinagar	Area under his jurisdiction.
6. Mamlatdars	Areas under their respective jurisdictions.
7. Mahalkaris	Areas under their respective jurisdictions.

By order and in the name of the Governor of Gujarat,

K. V. HARIHAR DAS,
Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 21st September, 1977.

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

No. GTH-77/55/RSA-4177-1986 (III)-B.—In exercise of the powers conferred by sub-clause (2) of clause 12 of the Gujarat Essential Articles Dealers (Regulation) Order, 1977, the Government of Gujarat hereby exempts a person who whether for commission, remuneration or other wise and whether or not in conjunction with any other business, carries on the business of purchase, sale, storage for sale or manufacture of any of the under mentioned articles, from the provision of clause 9 of the said Order.

ARTICLES

- (1) Atta
- (2) Maida
- (3) Soji
- (4) Tur Dal
- (5) Moong Dal
- (6) Gram Dal
- (7) Bread
- (8) *
- (9) Groundnut in Pod and Groundnut Kernal
- (10) to (12)*
- (13) Gur
- (14) to (16)*
- (17) Maize Oil (loose or in pack)
- (18) *
- (19) Palm oil (loose or in pack)
- (20) Rapeseed Oil (loose or in pack)
- (21) *
- (22) Soyabean Oil (loose or in pack)
- (23) Sunflower Oil (loose or in pack)
- (24) *
- (25) Imported edible Oils (loose or in pack)

By order and in the name of the Governor of Gujarat,

K. V. HARIHAR DAS,
Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 7th May, 1999.

GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

No. GTH-99-25-PRC-1097-1610-B.—In exercise of the powers conferred by sub-clause (2) of clause 12 of the Gujarat Essential Articles Dealers (Regulation) Order, 1977, (hereinafter referred to as “the said Order”) the Government of Gujarat hereby exempts a dealer in whose possession the stock of essential articles at any time does not exceed the quantities specified against it in the table below from the provisions of clause 9 of the said Order.

TABLE

Sr. No.	Essential Articles	Stock limit
1.	Edible Oilseeds including groundnut in shell	10 quintals
2.	Edible Oils	1.5 quintals
3.	Foodgrains (others than wheat & rice) :-	

* deleted

Sr. No.	Essential Articles	Stock limit
	(a) any one foodgrain	10 quintals
	(b) all foodgrains taken together	25 quintals
4.	Pulses	5 quintals for all pulses taken together
5.	Gur	10 quintals

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 11th February, 1999.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH-99-7-RSA-1190-3007-B.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Government of Gujarat hereby makes the following order further to amend the Gujarat Essential Articles Dealers (Regulation) Order, 1977 namely :-

1. (i) This Order may be called the Gujarat Essential Articles Dealers (Regulation) (2nd amendment) Order, 1999.

(ii) It shall come into force at once.

2. In the Gujarat Essential Articles Dealers (Regulation) Order, 1977 following entries shall be deleted;

Sr No. in the Schedule-I to the Order

A(17) Baby Food (in tins)

B(19) Biscuits (in loose and tins)

D(35) Shaving Blades-Prince, Erasmic, Panama, Bharat, Ashok, 6 Morning, Topaz, Ucar, Swis.

G(37) Cement.

(38) Following Soaps, that is to say

(a) Toilet Soaps, - Lifebuoy, Lux, Rexona, Hamam, Jai.

(b) Washing Soaps Sunlight, 501, 777.

(c) Detergents Surf, Det, Magic, Lux.

(d) Shaving Soap Cakes - Erasmic, Godrej.

(39) Tyres and Tubes of Cycles, Scooters including scooter-rickshaws and auto-rickshaws, auto-mobiles of any category, tractor, trollies and animal drawn vehicles.

(40) Dry Cells for torches and transistor radios.

(42) Soft coal and charcoal.

(43) Papers including newsprints, paper board, straw board.

Sr. No. in the Schedule-II to the Order

(4) Baby food.

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 7th May, 1999.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/99/28/PRC/1097/1610/B.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Order of the Government of India, Ministry of Agriculture and Irrigation (Department of Food) No. GSR-800, dated the 9th June, 1978, the Government of Gujarat hereby makes the following order further to amend the Gujarat Essential Articles Dealers (Regulation) Order, 1977 namely :-

1. (i) This Order may be called the Gujarat Essential Articles Dealers (Regulation) (Third amendment) Order, 1999.

(ii) It shall come into force at once.

2. In Schedule -I to the Gujarat Essential Articles Dealers (Regulation) Order, 1977, the following entries shall be deleted :—

Sr No.

- | | | |
|----|--------|--------------------|
| C. | (24) | Mahua Oil |
| | (26) | Nigerseed Oil |
| | (29) | Rice bran Oil |
| | (32) | Watermelonseed Oil |
| | (34-A) | Kharsani seed |
| | (34-B) | Kharsaniseed Oil |

By order and in the name of the Governor of Gujarat,

P. L. ZALA,

Under Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT Order

Sachivalaya, Gandhinagar, 31st July, 1980.

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

No. GTH.80/54.LPG.1280.6579.B. In exercise of the powers conferred by the Gujarat Essential Articles Dealers (Regulation) Order, 1977, I, the Collector of the District, Gandhinagar, do hereby direct all the dealers in the State dealing in Liquefied Petroleum Gas (Known as cooking gas) (hereinafter referred to as distributors), namely :—

1. No distributor shall give connection for cooking gas except in accordance with the directions contained in this Order.

2. (a) Every distributor shall, in relation to applications received by him after the 31st July, 1980 and before the 7th September, 1980 for enrolment of names of persons desiring to be consumers of cooking gas by obtaining new connections, maintain a Waiting List I prescribed for the purpose by the State Government or the Collector of the District or the Food and Civil Supplies Controller, Ahmedabad City (hereinafter referred to as "the concerned authority") in such manner (including drawal of lots) as may be specified from time to time by the concerned authority.

(b) An application referred to in sub-clause (a) shall—

- (i) be sent in the form appended to this Order,
- (ii) be sent by registered post with acknowledgement due, during the period commencing on the 1st August, 1980 and ending on the 31st August, 1980; and
- (iii) contain true and complete information necessary for the purpose.

3. The distributor shall give connection for cooking gas to the persons whose name appears in the Waiting List I in the order in which they so appear :

Provided that where there existed immediately before the issue of this Order a priority list maintained by a distributor in accordance with the instructions of a petroleum oil distributing company (hereinafter referred to as the oil company) or the directions given by the concerned authority, the persons whose names appear in such list shall have priority over the persons whose names appear in such Waiting List-I, in the order in which they appear in the priority list :

Provided further that no connection for cooking gas shall be given by the distributor to any person or a member of his family namely husband, wife, son, daughter, father, mother, brother or sister residing with him, if such person or any such member of his family already possesses a connection for cooking gas from any Municipal Corporation or from the Oil and Natural Gas Commission or any connection for Liquefied Petroleum Gas - cooking gas from a distributor of any oil company.

4. (a) Every distributor shall, in relation to application received by him after the 7th September, 1980 for enrolment of persons desiring to be consumers of cooking gas by obtaining new connections, maintain Waiting List-II prescribed for the purpose by the concerned authority.

(b) An Application referred to in sub-clause (a) shall—

- (i) be sent in the form prescribed, and duly made available through the distributor concerned, by an Oil company;
- (ii) contain true and complete information necessary for the purpose.

Explanation : For the purpose of item (i) of sub-clause (b) of this clause, the term "oil company" means any company dealing in any of the petroleum products and includes the Indian Oil Corporation Limited (IOC), Indo-Burma Petroleum Company Limited (IBP), Hindustan Petroleum Corporation Limited (HPC) and the Bharat Petroleum Corporation Limited (BPC);

(c) There shall be entered in the Waiting List-II the names of the applicants, in the chronological order.

5. The distributor shall give connection for cooking gas to the persons whose names appear in the Waiting List-II in the order in which they appear :

Provided that no connection for cooking gas shall be given by a distributor in accordance with the Waiting List-II unless and until the entries in the Waiting List-I are exhausted.

Provided further that no connection for cooking gas shall be given by the distributor to any person or a member of his family namely husband, wife, son, daughter, father, mother brother or sister residing with him, if such person or any such member of his family already possesses a connection for cooking gas from Municipal Corporation or from the Oil and Natural Gas Commission or any connection for Liquefied Petroleum Gas-cooking gas from a distributor of any oil company.

6. The distributor shall maintain such record and registers as may be directed by the concerned authority from time to time.

7. Every distributor shall intimate in writing to the concerned authority the number of new connection for cooking gas allotted him by the oil company.

8. (a) Every distributor shall inform the consumer by post under certificate of posting of the allotment of gas connection to him in the order in which his name appears either in the Waiting List I or, as the case may be, the Waiting List-II.

(b) While informing a consumer under sub-clause (a), the distributor shall require such consumer to furnish original documents referred to in his application and the amount of security deposit as may be fixed by the oil company, within ten days from the date of receipt of the intimation.

(c) If a consumer fails to furnish the original documents and the amount of security deposit within the period specified in sub-clause (b) his name shall be deleted from the relevant Waiting List.

9. Where for any reason the recognition of a distributor of any area is cancelled by the oil company such distributor shall deliver the waiting List maintained by him to the Collector of the District and in Ahmedabad City to the Food and Civil Supplies Controller, who in turn shall transfer and hand over such Waiting List to a new distributor appointed by the Oil Company for such area, and the waiting list so transferred shall be considered as valid waiting list for the purpose of enrolment for applications or, as the case may be, allotment of connection for cooking gas to a consumer for new connection by him.

10. Where the oil company appoints any additional distributor in any area, the additional distributor so appointed shall obtain from the existing distributor of the area, extracts of the Waiting List relevant to the area assigned to him by the oil company and such extracts of the Waiting List shall be deemed to be the Waiting List for the purpose of the Order.

11. Where in any area distributor is not likely to be allotted new gas connections by an oil company for any reason whatsoever the concerned District Supply Officer or the Deputy Food and Civil Supplies Controller for the city of Ahmedabad, on being informed by the oil company of that fact, shall undertake the functions of a distributor in so far as they relate to the preparation and maintenance of the Waiting List till a distributor is appointed for such area. In the event of appointment of such distributor the Waiting List so maintained by the aforesaid officer shall be transferred to the distributor for the purpose of this Order.

Appendix

(See clause 2 (b))

Application form for Cooking Gas Connection

1. Appillicant's full name :
(To write surname first)
2. Complete Residential Address :
House number, Street
3. Authentic copy of receipt from :
Municipal Corporation/Municipality/
Panchayat in respect of the payment
of last/current year's house Tax
provided the applicant is a landlord
for residential purpose. If he is a
tenant, the authentic copy of the last
month's rent receipt.

If he possesses the residence on hire
purchase basis or with reference to
his service, the Authentic copy of the
allotment letter should be appointed.
4. Whether the applicant possesses :
food grains/sugar ration card ? If yes,
than card No. and Zone/Area.
5. Whether a reply-card with complete
address has been appended for the
purpose of informing about the serial
number in the waiting list for the
cooking gas connection.

AFFIDAVIT

1. hereby declare on oath that myself or any member of my family namely husband, wife, son, father, mother, brother or sister residing with me or other person dependent on me and residing with me do not possess any gas connection from any Municipal Corporation or from Oil & Natural Gas Commission or any connection of Liquefied Petroleum Gas-cooking gas from a distributor of any oil company. None of the member of my family except myself, have applied for gas connection to any other distributor.

2. The facts mentioned in the application as above are true and correct. In the event of my obtaining new cooking gas connection, I shall make use of it for my own domestic purposes and I shall not transfer it in any manner.

3. Consequent upon this application and before obtaining the new cooking gas connection, if there is any change in the place of my residence, I shall inform in writing, the concerned distributor of the cooking gas 15 days from the date such change of place.

Signature of the Applicant

Place :

(Full Name)

Date :

By order and in the name of the Governor of Gujarat,

V. P. MALVANIA,
Deputy Secretary to Government.

**7. GUJARAT CATERING
ESTABLISHMENT
(DISPLAY PRICES OF MEALS,
REFRESHMENT AND BEVERAGES)
ORDER, 1975**

- (1) EFFECTIVE FROM : 12-8-1975
- (2) ISSUED BY THE STATE GOVERNMENT AS PER THE POWERS DELEGATED TO IT UNDER SECTION 3 OF THE E.C. ACT, 1955.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 12th August, 1975.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/75/37/RSA/5375/5879/B.—WHEREAS the Government of Gujarat is of the opinion that it is necessary and expedient so to do for securing availability of meals, refreshments and beverages at fair prices :

NOW, THEREFORE, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of Government of India, Ministry of Agriculture (Department of Food) No.GSR-316 (E), dated the 20th June, 1972, the Government of Gujarat hereby makes the following Order, namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Gujarat Catering Establishment (Display of prices of meals, Refreshments and Beverages) Order, 1975.

(2) It extends to the area within the limits of -

(a) the cities of Ahmedabad, Boroda, Surat and Rajkot as mentioned under the Bombay Provincial Municipal Corporation Act, 1949 ;

(b) the cantonment of Ahmedabad; and

(c) the municipal boroughs of Bhavanger, Jamnagar and Nadiad as constituted under the Gujarat Municipalities Act, 1963.

(3) It shall come into force at once.

2. Definition.—In this Order, unless the context otherwise requires,—

(i) "caterer" means the proprietor or other person in charge of a catering establishment and includes an agent or servant who acts on behalf of such caterer.

(ii) "catering establishment" includes a hotel, restaurant, eating house, cafeteria, canteen, railway refreshment room or any other place whatsoever open to the public where any meal, refreshment or beverage is supplied on payment for consumption, but does not include-

(a) (i) a boarding house;

(ii) a residential hostel,

where meals are supplied exclusively to students for their consumption, and

(b) a five star hotel.

3. Display of prices of meals, refreshments and beverages served.—Every caterer shall display at a conspicuous place of his catering establishment the prices of any meal, refreshment or beverage, served in his catering establishment, in the Gujarati language and in the manner so as to be easily accessible for consultation by any consumer.

3.A. Catering Establishment not to sell eatables at price higher than that displayed.—No. caterers shall sell or offer any meal, refreshment or beverage served in his catering establishment at a price higher than that displayed by him under clause-3.

4. Power to issue direction.— (1) The State Government, the Director of Civil Supplies, Gujarat State

and the Director of Food, Gujarat State, in so far as caterers of all catering establishments in the State are concerned, and

(2) the Collector of a district and Food Controller, Ahmedabad city in so far as caterers of catering establishment within their respective jurisdictions are concerned, may from time to time, by general or special order in writing give such directions in respect of display of any meal, refreshment or beverage as the authority ~~giving such directions thinks fit and the caterers to whom such directions are given shall comply with the same.~~ general or special direction given by the State Government, the Director of Civil Supplies, Gujarat State, the Director of Food, Gujarat State, the Collector of the district or, as the case may be, the Food Controller, Ahmedabad city furnish truthfully and to the best of his knowledge such particular or information relating to any meal refreshment or beverage served by him, as required by such direction.

6. Powers of entry, search, seizures, etc.—(1) Any Revenue Officer not below the rank of a Deputy Mamlatdar or any Supply Officer not below the rank of an Inspector or any Police Officer not below the rank of a Police Sub Inspector or any other officer specially authorised by the State Government in this behalf may, with a view to securing compliance with this order or to satisfying that this order has been or is being complied with-

(a) require the caterer of any catering establishment to make any statement or furnish any Information or produce any books of accounts or other documents, relating to his business and every caterer so required shall comply with such requisition;

(b) inspect of any meals, refreshments and beverages, books of accounts or other documents pertaining to his catering business and for that purpose enter any premises used or believed to be used for his catering business;

(c) enter, inspect or break open and search any place, premises in which he has reason to believe that any contravention of the provisions of his Order has been, is being or is about to be committed;

(d) seize any article, books of accounts or documents which in his opinion would be useful for or relevant to any proceedings under the Act :

Provided that while exercising the powers of entry and search under this clause, due regard shall be had by such officer to the social and religious customs of the occupants of the place or premises entered into or searched.

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (No. 2 of 1974) relating to search and seizures shall, so far as may be, apply to searches and seizures under this clause.

7. Exemption—Where the State Government is of the opinion that it is necessary in the public interest so to do, it may, by notification in Official Gazette exempt any class of catering establishment from the operation of this order, for such period and subject to such conditions, if any, as may be specified in such notification, and may at any time suspend or rescind such exemption.

By order and in the name of the Governor of Gujarat,

R. K. ANKLESARIA,
Secretary to Government.

8. GUJARAT FOODSTUFFS (REGULATION OF USE OR DISPOSAL IN SACRIFICE) ORDER, 1969

- (1) EFFECTIVE FROM : 7-8-1969
- (2) ISSUED BY THE STATE GOVERNMENT AS PER THE POWERS DELEGATED TO IT
UNDER SECTION 3 OF THE E. C. ACT, 1955

CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 7th August, 1969.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/48/FGN/1169/63/B.—WHEREAS, the Government of Gujarat is of the opinion that for maintaining supplies of foodstuffs in the State of Gujarat, it is necessary to regulate use, disposal or distribution of foodstuffs by offering oblations in sacrifices;

NOW, THEREFORE, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of Government of India, Ministry of Food Agriculture Community Development and Co-operation (Department of Food) No.G.S.R.-1111, dated of the 24th July, 1967, the Government of Gujarat hereby makes the following Order, namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Gujarat Foodstuffs (Regulation of use or disposal in sacrifice) Order, 1969.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

2. Regulation of use or disposal of foodstuffs in sacrifice.—No person or body of persons acting in concert, either jointly or severally, shall, on any one day, either by himself for themselves, use, dispose of or distribute any foodstuffs exceeding ten kilograms in the aggregate, by offering, or for the purpose of offering, oblations in sacrifice by fire or by any other means by way of religious propitiation or otherwise.

3. Power to exempt.— The State Government or the Director of Civil Supplies, Gujarat State may, for reasons to be recorded in writing, by order, exempt any person or body of persons from the operation of clause 2 on such terms and conditions, if any, as may be specified in the Order.

4. Powers of entry, search, seizure, etc.—(1) For the effective enforcement of the provisions of this Order, any Revenue or Supply Officer not below the rank of a Aval Karkun or any Police Officer not below the rank of sub-Inspector and any other person specially authorised by the State Government in this behalf may, when he has reason to believe that a contravention of this Order has been, is being or is about to be committed, enter and search any premises, interrogate any person and seize any foodstuffs and other articles including their coverings or containers in respect of which he has reason to believe that such contravention has been, is being or is about to be committed.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (No. 5 of 1898) shall, so far as may be, apply to searches and seizures under this clause.

By order and in the name of the Governor of Gujarat,

M. G. SHAH,
Secretary to Government.

**9. (1) GUJARAT CATTLE FODDER
(INTER-DISTRICT MOVEMENT
RESTRICTION)
ORDER, 1999**

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIR DEPARTMENT

Order

Sachivalaya, Gandhinagar, 7th december, 1999.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/99/52/ECA/1196/491/B.—WHEREAS the Government of Gujarat is of the opinion that it is necessary and expedient so to do for maintaining supplies of certian essential commodities and for securing their equitable distribution and availability at fair prices;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of the Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-operation), Government of India No.S.O.-681 (E), dated the 30th November, 1974, the Government of Gujarat hereby makes the following order, namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Gujarat Cattle Fodder (Inter-district Movement Restriction) Order, 1999.

(2) It extends to all the district of the State of Gujarat.

(3) It shall come into force at once.

2. Definition.—In this Order, unless the context otherwise requires—

“Cattle fodder” means grass, hay, paddy-straw, husk, green fodder and all other kinds of vegetative animal feed whether green or dry.

3. Restriction on movement of cattle fodder outside district.—No person shall move or attempt to move the fodder from any district to any other place in the State except with the prior permission of the Collector of the respective district.

4. Order not to apply in certain cases.— The provision of this order shall not apply to the cattle fodder owned by the Government and the cattle fodder which may be required to be moved from any district under the orders of the Commissioner/Director of Relief, Government of Gujarat, irrespective of the ownership of such cattle fodder.

6. Power of entry, search and seizure—(1) Any Officer not below the rank of an Inspector in the Civil Supplies Department and any Revenue Officer not below the rank of Deputy Mamlatdar may, with a view to carrying out the provisions of this order, or for the purpose of satisfying himself that this order or any order made thereunder has been complied with,—

(a) enter and search any place or premises which the officer has reason to believe has been, or is being or is about to be, used for the contravention of this order,

(b) seize stocks of cattle fodder which the officer has reason to believe has been, or is being or is about to be used, in contravention of this order.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,
Joint Secretary to Government.

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
DEPARTMENT****Order**

Sachivalaya, Gandhinagar, 7th December, 1999.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/99/53/ECA/1196/491/B.—In pursuance of Order No.f-2/60/9/AHT, dated 6th October, 1999 of Government of India, Ministry of Agriculture New Delhi, this Department's order of even number dated 7th December, 1999 will be applicable to inter State movement of fodder as well, upto the 5th day of January, 2000.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,
Joint Secretary to Government.

**9. (2) GUJARAT GUEST CONTROL
ORDER, 1987**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 22nd September, 1987.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/87/26/RSA/387-GOI-105/B.—WHEREAS the Government of Gujarat is of the opinion that it is necessary and expedient so to do for maintaining supplies of foodstuffs and for securing their equitable distribution and availability at fair price ;

NOW, THEREFORE, in exercise of the powers 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 and Civil Supplies (Department of Food) No.GSR-800 dated the 9th June, 1974, the Government of Gujarat hereby makes the following order, namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Gujarat Guest Control Order, 1987.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) “caterer” means the proprietor or other person in charge of a catering establishment and includes an agent or servant who acts on behalf of such caterer;

(b) “catering establishment” means a hotel, restaurant, eating house, cafe, tea shop, coffee house, free feeding centre, club, canteen or railway refreshment room and includes any other place of a like nature, open to the public where food is prepared, supplies or consumed but does not include a free feeding centre organised for providing relief to the persons affected by natural calamities like draught, scarcity, famine, flood, fire, cyclone or riot or for feeding patients and persons attending patients in medical camps;

(c) “family” means the collective body of persons who live in one house and under one head, and includes relatives and other persons and servants ordinarily residing with such head;

(d) “host” means a person who either himself or through any other person undertakes to distribute or provide for consumption food in a party, entertainment or social or other function;

(e) “institutional establishment” means a hospital, sanatorium, convalescent home, nursing home, orphanage, workhouse, infirmary, asylum or school providing food and includes any other establishment of a like nature;

(f) “prohibited foodstuffs” means all foodstuffs, prepared from or containing cereals or pulses, and all sweets;

(g) “residential establishment” means a boarding house, apartment house, residential hotel or nurses home and includes any other establishment of like nature but does not include a private household.

3. Restriction on preparation, consumption and distribution of prohibited foodstuffs.— (1) No person or body of persons acting in concert either jointly or severally, other than a caterer, shall at or in connection with one or more parties, entertainments or functions, on any one day, either himself or themselves, prepare, serve, distribute or provide for consumption, or accept or contribute for service or distribution for consumption, any prohibited foodstuffs,—

(i) to more than one hundred persons (including the host or hosts) at any party, entertainment or function held in connection with marriage, or funeral;

or

(ii) to more than fifty persons (including the host or hosts) at any other party, entertainment or function.

(2) No caterer at the instance or for the benefit of himself or any person in connection with one or more of his own or such person's parties, entertainments or functions, shall, on any one day, either himself or through any other caterer, serve, distribute or provide for consumption, or accept for service or distribution for consumption, any prohibited foodstuffs,—

(i) to more than one hundred persons (including the host or hosts) at any party, entertainment or function held in connection with marriage or funeral; or

(ii) to more than fifty persons (including the host or hosts) at any other party, entertainment or function.

(3) No person shall accept or consume any prohibited foodstuff at or in connection with any party, entertainment, social or other function where the number of participants exceeds,—

(i) one hundred persons in the case of party, entertainment or function held in connection with marriage or funeral; or

(ii) fifty persons in case of any other party, entertainment or function :

Provided that nothing in this clause shall apply to—

(i) parties, entertainments or social or other function is the premises serving as the head quarters of diplomatic or consular representatives or Government Missions of foreign countries;

(ii) the proprietor, manager or other person in charge of a residential establishment, institutional establishment or catering establishment serving food to consumers or residents in the course of regular business and not in connection with any party, entertainment or social or other function given at the instance of himself or of any other person;

(iii) the distribution of food containing an prohibited foodstuffs by way of "bhog" or "prasad" or as part of a recognised religious ceremony, in any temple, mosque, gurdwara, church or place of religious worship;

(iv) the preparation, distribution and consumption of prohibited foodstuffs in connection with any religious function.

Explanation.—For the purposes of this clause, the expression "one hundred persons" or the expression "fifty persons" shall not include—

the waiters or other persons serving or distributing the foodstuffs, but not participating in consumption thereof, when the function is arranged at a catering establishment or at any place other than the residence of the host.

4. Power to exempt.—The State Government or an officer authorised by the State Government in this behalf may, for reasons to be recorded in writing by order, exempt any person or body of persons from the operation of any provisions of this order.

5. Power of the State Government to suspend all or any of the provisions of this order.—Notwithstanding anything contained in the foregoing provisions of this order, the State Government may, from

time to time by notification in the Official Gazette, suspend, for such period as may be specified in such notification, the application of all or any of the provisions of this Order in the whole State or any part thereof and withdraw such suspension before the period for which it is issued expires.

6. Power of entry, search, seizure, etc.—(1) For the effective enforcement of the provisions of this Order, any Revenue Officer not below the rank of a Deputy Mamlatdar, any Civil Supplies Officer not below the rank of a Supply Inspector, any Police Officer not below the rank of a Police Sub-Inspector or any other Officer authorised by the State Government in this behalf may, when he has reason to believe that any contravention of this Order has been or is being or is about to be committed, enter and search any premises, interrogate any person and seize any articles including their coverings or containers in respect of which he has reason to believe that the contravention has been or is being or is about to be committed.

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as may be, apply to search and seizure under this clause.

7. Savings.—Nothing in this Order shall apply to an obsequial dinner as defined in clause (3) of section 2 of the Gujarat Obsequial Dinners (Control) Act, 1963.

By order and in the name of the Governor of Gujarat,

V. B. BUCH,
Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 13th August, 1988.

ESSENTIAL COMMODITIES ACT, 1955.

No. GTH/88/26/RSA/GOI/105/B.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of Government of India, Ministry of Food and Civil Supplies (Department of Food) No.GSR-800 dated the 9th June, 1978, the Government of Gujarat hereby rescinds the Gujarat Guest Control Order, 1987 :

Provided that any right acquired or liability incurred under the order so rescinded or any investigation, legal proceeding or remedy in respect of such right, liability, investigation, legal proceeding or remedy may be enforced, instituted or continued as if the said order had not been rescinded.

By order and in the name of the Governor of Gujarat,

B. N. JOSHI,
Deputy Secretary to Government.

**9. (3) PRIOR INTIMATION ORDERS IN
RESPECT OF EDIBLE OILSEEDS
AND EDIBLE OIL**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 13th January, 1995.

ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/95/7/ECA/1180/6419/B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that every Licence Holder shall, with effect from 13th January, 1995 furnish to the Collector of the District or as the case may be, to Food and Civil Supplies Controller, Ahmedabad, information regarding sale including agreement to sell, disposal, delivery or distribution of edible oil-seeds or as the case may be edible oils outside the state of Gujarat in the Form appended hereto in duplicate in such a manner as to reach the aforesaid officer forty eight hours before the time of moving such edible oilseeds or edible oils from the place where it is stored with a view to sell, including agreement to sell, dispose off, deliver or distribute the same outside the State of Gujarat.

FORM

1. Name of the dealer with full address.
2. Licence No.
3. Name and full address of party to whom the stock of edible oilseeds or, as the case may be, edible oils is being sold, disposed off, delivered or distributed as the case may be outside the State of Gujarat (mention district and State of destination)
4. Number and the area of operation of the licence of the receiving party.
5. Quantity of edible oilseeds or as the case may be, edible oils being sold, disposed off, delivered or distributed as the case may be, outside the State of Gujarat (in tonnes, quintals, Kgs.)
6. Description of the place of storage from where the consignment is proposed to be moved out.
7. Description of the mode of transport and the name of railway station, port or place from which the consignment is proposed to be despatched in favour of consignee outside the State and the route by which the consignment will be transported from the place of despatch to the place of destination.
8. Name of the last checkpoint/railway station/port in the State of Gujarat during the transit period.

9. Description of the destination namely the railway station, port or place outside the State.
10. Remarks, if any.

The Information furnished above is true to the best of my knowledge.

Signature

Place :

Date :

By order and in the name of the Governor of Gujarat,

B.R. PATNI,
Under Secretary to Government.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 27th October, 1996.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/96/21/ECA/1180/6419/PART-5/B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby amends Government Order, Food and Civil Supplies Department No. GTH/95/7/ECA/1180/6419/B, dated 13-1-1995, as follows namely :-

In the said Order-

1. For the words "with effect from 13th January, 1995 furnish to the Collector of the District or as the case may be, to Food and Civil Supplies Controller, Ahmedabad, information regarding sale including agreement to sell, disposal, delivery or distribution of edible oilseeds or as the case may be edible oils outside the State of Gujarat in the Form appended hereto in duplicate in such a manner as to reach the aforesaid officer forty eight hours before" the words "with effect from 27th October, 1996 furnish to the Collector of the district or Food and Civil Supplies Controller, Ahmedabad City, or Prant Officer or as the case may be Mamlatdar, information regarding sale including agreement to sell, disposal, delivery or distribution of edible oilseeds or as the case may be, edible oils outside the State of Gujarat in the Form (Appended hereto in one copy) in such a manner as to reach the aforesaid officer within twenty four hours after" shall be substituted.

2. This amendment shall be deemed to have come into force on 27th day of October, 1996.

By order and in the name of the Governor of Gujarat,

S.C. SANEHI,
Joint Secretary to Government.

(Form is the same as given in Order No. GTH/95/7-ECA/1180/6419/B dated 27-10-1996)

FOOD AND CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 31st March, 1998.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/98/17/ECA/1180/6419/PART-5/B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby amends Government Order, Food and Civil Supplies Department No. GTH/96/21/ECA/1180/6419/Part-5/B, dated 27th October, 1996, as follows namely :-

In the said Order :-

1. For the words "with effect from 27th October, 1996 furnish to the Collector of the District or Food and Civil Supplies Controller, Ahmedabad City or Prant Officer or as the case may be Mamlatdar, information regarding sale, disposal, delivery or distribution of edible oilseeds or as the case may be edible oils outside the State of Gujarat in the Form (appended hereto in one copy) in such a manner as to reach the aforesaid officer twenty four hours after" the words "with effect from 31st March, 1998 furnish to the Collector of the district or as the case may be, to Food and Civil Supplies Controller, Ahmedabad City, information regarding sale including agreement to sell, disposal, delivery or distribution of edible oilseeds or as the case may be, edible oils outside the State of Gujarat in the Form appended hereto in duplicate in such a manner as to reach the aforesaid officer forty eight hours before" shall be substituted.

2. This amendment shall be deemed to have come into force on 31st March, 1998.

By order and in the name of the Governor of Gujarat,

G. K. RATHOD,
Section Officer.

(Form is the same as given in Order No. GTH/95/7/ECA/1180/6419/B dated 27-10-1996)

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 30th June, 1995.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/95/34/ECA/1095/857/B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby direct that the provisions of Government Order No. GTH/95/7/ECA/1180/6419/B, dated 31st January, 1995, shall not apply so far as it relates to Mustard-Oilseeds.

This Order shall come into force with immediate effect.

By order and in the name of the Governor of Gujarat,

B. R. PATNI,
Under Secretary to Government.

FOOD , CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/98/19/ECA/1180/6419/B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that the provisions of Government Food, Civil Supplies and Consumer Affairs Department Order No. GTH/98/17/ECA/1180/6419/Part-5/B, dated the 31st March, 1998 shall not apply in so far as it relates to HPS groundnuts and til (Sesame seeds) to be exported in foreign countries provided that they are backed by an export authorisation certificate by IOPEA, Mumbai.

By order and in the name of the Government of Gujarat,

B. Z. HALVADIYA,

Under Secretary to Government.

FOOD , CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 3rd December, 1998.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/98/39/ECA/1180/6419/Part-5B.—In pursuance of sub-clause (1) of clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, read with Section 21 of the General Clauses Act, 1897 (X of 1897), the Government of Gujarat hereby rescinds the Government Orders Food, Civil Supplies and Consumer Affairs Department No. GTH/95/7/ECA/1180/6419/B dated the 13th January, 1995, No. GTH/96/21/ECA/1180/6419/Part-5/B, dated 27th October, 1996 and No. GTH/98/17/ECA/1180/6419/Part-5/B, dated the 31st March, 1998.

By order and in the name of the Governor of Gujarat,

B. Z. HALVADIA,

Under Secretary to Government.

9. (4) & 9 (5)
**PROFIT MARGIN ORDER (IN ENGLISH &
GUJARATI)**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Order

Sachivalaya, Gandhinagar, 1st July, 1981.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/81/26/ECA/1181/2013/B.—In exercise of the powers conferred by sub-clause (9) of clause 18 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, and in supersession of Government Order, Food and Civil Supplies Department No. GTH/81/9/ECA/1081/757/B, dated the 7th March, 1981, the Government of Gujarat hereby fixes the margin of profit as follows, namely :-

(1) In respect of sale of groundnut oil when sold in sealed containers having a label thereon indicating a brand name, two per cent on the landing cost of the stock of groundnut oil in such containers at the place of business of the licence holder to be the maximum rate of gross margin of profit.

(2) In respect of sale of edible oils by a licence holder,

- (i) Half per cent if he is a producer;
- (ii) One per cent if he is a wholesaler; and
- (iii) Two per cent if he is a retailer

on the landing cost of the stock of edible oils at the place of business of the licence holder to be the maximum rate of gross margin of profit.

Explanations.—1. For the purpose of determination as to whether the licence holder has complied with the directions contained in clause (1) of this order or not, each transaction of sale shall be taken into consideration.

II. For the purpose of determination as to whether the producer, wholesaler, or as the case may be, retailer has complied with the directions contained in clause (2) of this Order all the transactions of purchases and sales made by him during the period of one month immediately before the date of such determination shall be taken into consideration.

III. "Landing Cost" in relation to -

(a) a producer shall mean the cost of manufacturing edible oil and any incidental expenditure of the nature specified by the Director of Civil Supplies and incurred by him for making available at his place of business such edible oil.

(b) a wholesaler and a retailer shall mean the purchase price of edible oil and any incidental expenditure of the nature specified by the Director of Civil Supplies and incurred by him for making available at his place of business such edible oil.

By order and in the name of the Governor of Gujarat,

B. P. BHATT,
Under Secretary to Government.

અનાજ અને નાગરિક પુરવઠા વિભાગ,

હુકમ

સચિવાલય, ગાંધીનગર ૧લી જુલાઈ, ૧૯૮૧.

ગુજરાત આવશ્યક ચીજવસ્તુ (લાયસન્સ, નિયંત્રણ અને સ્ટોક જાહેરાત) હુકમ, ૧૯૮૧.

ક્રમાંક : જીટીએચ/૮૧/૨૬/ઈસીએ-૧૧૮૧-૨૦૧૩/બી.— ગુજરાત આવશ્યક ચીજવસ્તુ (લાયસન્સ, નિયંત્રણ અને સ્ટોક જાહેરાત) હુકમ ૧૯૮૧ ની કલમ ૧૮ની પેટા કલમ (૯) થી મળેલ સત્તાની રૂએ, અનાજ અને નાગરિક પુરવઠા વિભાગના તારીખ ૭મી માર્ચ, ૧૯૮૧ ના સરકારી હુકમ ક્રમાંક : જીટીએચ/૮૧/૯/ઈસીએ/૧૦૮૧/૭૫૭/બી ૨૬ કરીને, ગુજરાત સરકાર આથી નફાનો ગાળો નીચે પ્રમાણે નક્કી કરે છે.

(૧) સીંગતેલ તેની ઉપર છાપ (બ્રાન્ડ) નું નામ દર્શાવતા લેબલવાળા સીલ કરેલા પાત્રોમાં વેચાતું હોય ત્યારે તેના વેચાણના સંબંધમાં, નફાના એકંદર ગાળાના વધુમાં વધુ દર તરીકે લાયસન્સ ધરાવનારના ધંધાના સ્થળે આવા પાત્રોમાં સીંગતેલનો સ્ટોકના લેન્ડિંગ ખર્ચ ઉપર બે ટકા.

(૨) લાયસન્સ ધરાવનારે કરેલા ખાદ્યતેલના વેચાણના સંબંધમાં—

નફાના એકંદર ગાળાના વધુમાં વધુ દર તરીકે લાયસન્સ ધરાવનારના ધંધાના સ્થળે ખાદ્યતેલના સ્ટોકના “લેન્ડિંગ ખર્ચ” ઉપર—

(૧) જો તે ઉત્પાદક હોય, તો અડધો ટકો,

(૨) જો તે જથ્થાબંધ વેપારી હોય, તો એક ટકો, અને

(૩) જો છૂટક વેપારી હોય, તો બે ટકા.

સ્પષ્ટીકરણો.—૧. આ હુકમના ખંડ (૧) માં જણાવેલા આદેશોનું લાયસન્સ ધરાવનારે પાલન કર્યું છે કે કેમ તે સંબંધી નિર્ણય કરવાના હેતુ માટે, વેચાણની દરેક લેવડદેવડ વિચારણામાં લેવી જોઈશે.

૨. આ હુકમના ખંડ (૨) માં જણાવેલ આદેશોનું, યથાપ્રસંગ, ઉત્પાદકે, જથ્થાબંધ વેચનારે અથવા છૂટક વેચનારે પાલન કર્યું છે કે કેમ તે સંબંધી નિર્ણય કરવાના હેતુ માટે એવા નિર્ણયની તારીખની તરત પહેલાં એક મહિનાની મુદત દરમિયાન તેણે કરેલી ખરીદીઓ અને વેચાણોની તમામ લેવડદેવડો વિચારણામાં લેવી જોઈશે.

૩. (ક) ઉત્પાદકના સંબંધમાં “લેન્ડિંગ ખર્ચ” એટલે ખાદ્યતેલ બનાવવાનું ખર્ચ અને નાગરિક પુરવઠા નિયામકે નિર્દિષ્ટ કરેલા પ્રકારનું અને એવું ખાદ્યતેલ તેના ધંધાના સ્થળે પ્રાપ્ય થાય તે માટે તેણે કરેલું ખર્ચ.

(ખ) જથ્થાબંધ વેચનારે અને છૂટક વેચનારના સંબંધમાં “લેન્ડિંગ ખર્ચ” એટલે ખાદ્યતેલની ખરીદ કિંમત અને નાગરિક પુરવઠા નિયામકે નિર્દિષ્ટ કરેલા પ્રકારનું અને એવું ખાદ્યતેલ તેના ધંધાના સ્થળે પ્રાપ્ય થાય તે માટે તેણે કરેલું કોઈ આનુષંગિક ખર્ચ.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

બી. પી. ભટ્ટ,
સરકારના ઉપસચિવ.

FOOD AND CIVIL SUPPLIES DEPARTMENT**Order**

Sachivalaya, Gandhinagar, 4th April, 1989.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/89/37/ECA/1088/1523/B.—In pursuance of sub-clause (9) of clause 18 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, read with Section 21 of the General Clauses Act, 1897 (X of 1897), the Government of Gujarat hereby rescinds the Government Order, Food and Civil Supplies Department No. GTH/81/26/ECA/1181/2013/B, dated the 1st July, 1981.

By order and in the name of the Governor of Gujarat,

B. R. PATNI,
Under Secretary to Government.

State Order Gazette Notification



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The Gujarat Government Gazette

EXTRAORDINARY

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PART IV--A

Rules and Orders (other than those published in Parts I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT.

Order

Sachivalaya, Gandhinagar, 30th March, 2002.

No. GTH/2002/4/KSN/1294/3515/PART-I/B.—In view of the judgement delivered by the Division Bench of Hon. Gujarat High Court in various LPA's filed by Group of wholesale kerosene dealers (other than Company Agents), the following orders are issued.

In exercise of the powers conferred by Section 28 of the Gujarat Essential Articles (Licensing Control and Stock Declaration) Order 1981, the Government hereby makes the following order.

(1) This Order may be called the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Amendment Order, 2002.

(2) It shall come into force at once and shall apply to those P.D.S. kerosene wholesale dealers, who are not Company Agents.

(3) The existing licenses of the PDS kerosene wholesale dealers, who are not Company agents, the validity of which expire on 31st March, 2002, shall be renewed for the further period of three months i.e. upto 30th June, 2002.

By order and in the name of the Governor of Gujarat

AKHTAR SAIYED,
Section Officer.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 5th November, 2004.

THE GUJARAT ESSENTIAL ARTICLES DEALERS (REGULATION) ORDER, 1977.

No. GTH/2004/20/ECA/10/2003/1653/B.—In exercise of the powers conferred by clause 10 of the Gujarat Essential Articles Dealers (Regulation) Order, 1977, and in supersession of the Government Order issued in this behalf under Food Civil Supplies & Consumer Affairs Department No. GTH/2003/16/ECA/10/2003/1653/B, dated the 17th June, 2003 the Government of Gujarat directs as under :—

1. Every Dealer or the importer importing edible oil from outside the State or abroad shall maintain a register showing details of opening stock, receipt of sale, and closing stock of edible oils, edible oilseeds and shall send the copy or a statement thereof to the District Supply Officer of the respective district on every thirty days invariably.
2. The Dealer shall maintain the register showing the details of the opening balance, purchases or receipts, sale, closing balance and stock of edible oils and edible oil seeds exported outside of the State and abroad and shall send the copies thereof to the District Supply Officer of the respective district or, as the case may be, the Deputy Controller of Food and Civil Supplies, Ahmedabad City on every thirty days.
3. Every dealer dealing in storage, purchase, sale of the stock of more than five metric ton shall get himself registered with the Mamlatdar of the respective taluka or, as the case may be, the Zonal Officer in the Office of the Controller of Food and Civil Supplies, Ahmedabad City regarding the dealing in edible oil, within one month from the date of issue of this order.

4. The dealer of the edible oil shall maintain the brand wise separate accounts including the details of purchase and sale made in the labeled packing and shall furnish the details thereof before the District Supply Officer or the Deputy Controller of Food and Civil Supplies, Ahmedabad City and shall get the Stock Register authenticated with signatures and seals of the office of the Mamlatdar of the respective taluka or, as the case may be, the Zonal Officer in the office of the Controller of Food and Civil Supplies, Ahmedabad City.

5. Every establishment, unit or person making production shall maintain the register showing details of account on weekly basis. The total stock of edible oil seeds procured or purchased for production and the stock taken from that for extraction and the stock remaining in balance except that taken for extraction and shall send one copy thereof invariably to the District Supply Officer of the respective district or as the case may be, the Deputy Controller of Food and Civil Supplies, Ahmedabad City.

The dealer or the manufacturer or producer shall have to strictly observe all directions issued herein above.

By order and in the name of the Governor of Gujarat,

N. R. PANDYA,
Deputy Secretary to Government.



सत्यमेव जयते

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PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the Gujarat Government Gazette. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE BOMBAY RATIONING (PREPARATORY AND CONTINUANCE) MEASURES (GUJARAT REPEAL) BILL, 2005.

GUJARAT BILL NO. 8 OF 2005.

A BILL

to repeal the Bombay Rationing (Preparatory and Continuance) Measures Act 1947 in its application to the State of Gujarat.

It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows :-

1. This Act may be called the Bombay Rationing (Preparatory and Continuance) Measures (Gujarat Repeal) Act, 2005. **Short title.**

Repeal and
savings.

2. (1) The Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat is hereby repealed.

Bom. LVIII of
1947.

Bom. I of 1904.

(2) Notwithstanding such repeal, the provisions of section 7 of the Bombay General Clauses Act, 1904 shall apply in relation to the repeal of the Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat as if the Act had been an enactment within the meaning of the said section 7.

Bom. LVIII of
1947.

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GOVERNMENT OF GUJARAT

THE BOMBAY RATONING (PREPARATORY AND CONTINUANCE) MEASURES ACT, 1947

PART V

Repeal and savings.

2. (1) The Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat is hereby repealed.

(2) Notwithstanding such repeal, the provisions of section 7 of the Bombay General Clauses Act, 1904 shall apply in relation to the repeal of the Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat as if the Act had been an enactment within the meaning of the said section 7.

THE BOMBAY RATONING (PREPARATORY AND CONTINUANCE) MEASURES ACT, 1947

GUJARAT BILL NO. 8 OF 1947

PART V

Repeal and savings.

2. (1) The Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat is hereby repealed.

(2) Notwithstanding such repeal, the provisions of section 7 of the Bombay General Clauses Act, 1904 shall apply in relation to the repeal of the Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat as if the Act had been an enactment within the meaning of the said section 7.

THE BOMBAY RATONING (PREPARATORY AND CONTINUANCE) MEASURES ACT, 1947

STATEMENT OF OBJECTS AND REASONS

The Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 is now inoperative in the State of Gujarat and is not required to be continued in the Statute Book. Therefore, considering all the aspects of the aforesaid Act, the same needs to be repealed.

This Bill seeks to repeal the Bombay Rationing (Preparatory and Continuance) Measures Act, 1947 in its application to the State of Gujarat.

Dated the 15th February, 2005.

KAUSHIK PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 16th February, 2005.

S. S. PARMAR,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 24th February, 2005 is hereby published for general information.

S. S. PARMAR,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2005.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 25th February, 2005).

AN ACT

to repeal the Gujarat Obsequial Dinners (Control) Act, 1963.

It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Obsequial Dinners (Control) (Repeal) Act, 2005. Short title.
2. The Gujarat Obsequial Dinners (Control) Act, 1963 is hereby repealed. Repeal.

Guj.8 of
1964.

Government Central Press, Gandhinagar



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

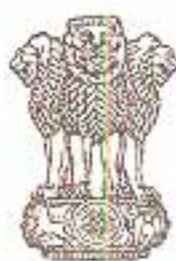
Order

Sachivalaya, Gandhinagar, 6th June, 2005.

GTH/CMT/10/2005/13/624/B/.—In exercise of the powers conferred by Clause 2 of Cement (Quality Control) Order, 2003 Government of India vide S.O. 191 (E) dtd. 17/2/03, the State Government hereby authorizes any Civil Supply Officer not below the rank of a District Supply Officer, as appropriate authority for the exercise of powers under Section-5 of the Order 2003, in Gujarat State.

By order and in the name of the Governor of Gujarat,

L. S. BHABHOR,
Section Officer.



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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 31st March, 2006.

No. GTH-2006-28-KSN-1296-2473-B.—In pursuance of Sub-clause (d)(i) of the Kerosene (Restriction on use and Fixation of Ceiling Price) Order 1993, Government of Gujarat hereby amends the Government Order. Food, Civil Supplies and Consumer Affairs Department No. GTH-97-12-KSN-1296-2473-B, dated 12-9-1997 as follows namely :-

In the said Order for the words and figures "Rs. 40.30 (Rupees Forty and paisa Thirty only) to the agent and Rs. 34.00 (Rupees Thirty Four only) to the retailers" the words and figures "Rupees 80.30 (Rupees Eighty and paise Thirty only) to the agent and Rs. 54.00 (Rupees Fifty Four only) to the retailers", shall be substituted w.e.f. 1st April, 2006.

By order and in the name of the Governor of Gujarat,

P. N. PATEL,

Joint Secretary to Government.



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PART IV-A

Rule and Orders (Other than these published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts.

અત્ર, નાગરિક પુરવઠા અને ગ્રાહકોની બાબતોનો વિભાગ

આદેશ

સચિવાલય, ગાંધીનગર, ૨૮મી જુન, ૨૦૦૬.

ક્રમાંક : જીટીએચ/૦૬/૩૭/ઈસીએ/૧૦/૨૦૦૬/૭૮૬/બ.--ગુજરાત આવશ્યક ચીજવસ્તુ વેપારી (નિયમન) આદેશ ૧૯૭૭ની કંડિકા-૧૦ થી મળેલ સત્તાની રૂએ, રાજ્ય સરકાર નીચે મુજબનો આદેશ કરે છે, જે તાત્કાલિક અસરથી અમલમાં આવે છે.

- (૧) ગુજરાત આવશ્યક ચીજવસ્તુ વેપારી (નિયમન) આદેશ--૧૯૭૭માં સમાવિષ્ટ આવશ્યક ચીજવસ્તુઓ પૈકી નીચે જણાવેલ આવશ્યક ચીજવસ્તુઓને આ આદેશ લાગુ પડશે.
 - (૧) ઘઉં (૨) મકાઈ (૩) કઠોળ-ચણા, મગ, અડદ (આખા તથા તેની દાળ) (૪) મેંદો (૫) ખાંડ (૬) ખાદ્યતેલ
- (૨) આ આદેશમાં સમાવિષ્ટ ઉપર નિર્દિષ્ટ ચીજવસ્તુઓના જથ્થા અને સંગ્રહ તથા ખરીદી-વેચાણ સંદર્ભમાં નીચે જણાવેલ માહિતી વેપારીએ નિયમીત (દૈનિક) રાખવાની તથા તેના રજીસ્ટર નીભાવવાની તથા ઉપલબ્ધ જથ્થાની વિગત ધંધાના સ્થળે રાખવાની રહેશે.
 - (૧) ઉપલબ્ધ જથ્થો અને વેચાણ થયેલ જથ્થાની વિગત.
 - (૨) ગ્રાહક/છૂટક વિક્રેતા કે જથ્થાબંધ વિક્રેતાને કરેલ વેચાણની વિગત.
- (૩) આ આદેશ રાજ્યમાં તાત્કાલિક અસરથી અમલમાં આવે છે, આ આદેશના ભંગ બદલ વિક્રેતા, ગુજરાત આવશ્યક ચીજવસ્તુ વેપારી (નિયમન) આદેશ-૧૯૭૭ ની કંડિકા-૧૧ ની જોગવાઈઓ અનુસાર શિક્ષાને પાત્ર બનશે.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે

એલ.એસ. ભાભોર,
સેક્શન અધિકારી.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

અત્ર નાગરિક પુરવઠા અને ગ્રાહકોની બાબતોનો વિભાગ

સુધારા આદેશ

સચિવાલય, ગાંધીનગર, ૧ જુલાઈ, ૨૦૦૬.

ક્રમાંક : જીટીએચ/૦૬/૩૮/ઈસીએ/૧૦/૨૦૦૬/૭૮૬/બ, -ગુજરાત આવશ્યક ચીજવસ્તુ વેપારી (નિયમન) આદેશ
૧૯૭૭ની કંડિકા-૧૦ થી મળેલ સત્તાની રૂએ, રાજ્ય સરકાર દ્વારા તા. ૨૮ જુન-૨૦૦૬ના રોજ બહાર પાડવામાં આવેલ આદેશ
ક્રમાંક : જીટીએચ/૦૬/૩૭/ઈસીએ/૧૦/૨૦૦૬/૭૮૬/બ, માં ખંડ (૧)માં નિર્દિષ્ટ આવશ્યક ચીજવસ્તુઓના પેટા-ખંડ (૩)માં
નીચે મુજબનો સુધારો કરવામાં આવે છે

ખંડ (૧) ના પેટાખંડ “(૩) કઠોળ-ચણા, મગ, અડદ (આખા તથા તેની દાળ)” ને સુધારીને નીચે મુજબ રાખવામાં
આવે છે.

ખંડ (૧) ના પેટાખંડ “(૩) તમામ કઠોળ ચણા, મગ, અડદ, તુવેર, વટાણા, મસુર વગેરે... (આખા તથા તેની
દાળ)” આવે છે.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

એલ. એસ. ભાભોર,
સેક્શન અધિકારી.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 11th January, 2007.

No: GTH/2007/5/ECA/10/2002/1359/B.-In pursuance of the order published by Government of India S. O. 1373 (E) dated 29th August, 2006, and powers conferred vide Clause 24 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby directs that with effect from 15th January, 2007.

- (1) No dealer shall either by himself or by any person on his behalf, store or have in his possession at any time stock of wheat and wheat product (Wheat Flour) in excess of the quantities specified below.

Commodity	Category	Maximum stock limit (In quintals)
Wheat & Wheat Products (Wheat flour)	(1) Retailer	500
	(2) Wholesaler	5,000
	(3) Producer (Wheat Flour Mill)	Either 30,000 or one month stock of milling capacity whichever is less.

- (2) Every dealer (Producer/Wholesaler/Retailer), shall have to obtain licence under Gujarat Essential Articles (Licensing Control and Stock Declaration) Order, 1981, to purchase stock or stock for sale if the quantity of the stock (Wheat/Wheat Product vis. Flour) in his possession exceeds 150 quintals.
- (3) Producer/Commission Agent/Wholesaler and Retailer shall not hold the stock more than the prescribed maximum stock limits respective to licence/category.

- (4) This order (stock-limit) shall not apply to Central and State Level Government Enterprises and Corporation (Viz., Food Corporation of India and Gujarat State Civil Supplies Corporation Limited)

By order and in the name of the Governor of Gujarat,

I. S. CHAUDHARY,
Section Officer.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 11th January, 2007.

No: GTH/2007/6/ECA/10/2003/1359/B.-In pursuance of the order published by Government of India S. O. 1373 (E) dated 29th August, 2006, the Government of Gujarat hereby amends the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, accordingly.

- (1) Short title, extent and commencements
 - (a) This order may be called the Gujarat Essential Articles (Licensing, Control and Stock Declaration) (Amendment) Order, 2007.
 - (b) It extends to the whole State.
 - (c) It Shall come into force at once.
- (2) Following changes are made in the Gujarat Essential Articles. (Licensing, Control and Stock Declaration) Order, 1981.
 - (a) Following entries in Schedule-I under the title 'Food Stuff' is inserted.

A:- Foodgrain including products thereof

- (9) Wheat (Including Wheat Products)

By order and in the name of the Governor of Gujarat,

I. S. CHAUDHARY,
Section Officer.



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PART IV-A

Rules and Orders (Other than these published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts.

અનં નાગરિક પુરવઠા અને ગ્રાહકોની બાબતોનો વિભાગ

હુકમ

સચિવાલય, ગાંધીનગર, ૨૨ જાન્યુઆરી, ૨૦૦૭.

ક્રમાંક : જીટીએચ/૨૦૦૭/૯/ઈસીએ/૧૦/૨૦૦૨/૧૩૫૯/બ.--ભારત સરકારના નોટીફિકેશન ક્રમાંક : એસઓ/૧૩૭૩/(ઈ)/તા. ૨૯-૮-૨૦૦૬ હેઠળ બહાર પાડવામાં આવેલ આ વિભાગના નીચે મુજબના હુકમો આથી રદ કરવામાં આવે છે.

(૧) ઘઉંને આવશ્યક ચીજવસ્તુ તરીકે દાખલ કરવા અંગેનો વિભાગનો હુકમ.

ક્રમાંક : જીટીએચ/૨૦૦૭/૬/ઈસીએ/૧૦/૨૦૦૨/૧૩૫૯/બ તા. ૧૧-૧-૨૦૦૭

તથા

(૨) ઘઉંની સ્ટોક મર્યાદા નક્કી કરતો વિભાગનો હુકમ.

ક્રમાંક : જીટીએચ/૨૦૦૭/૫/ઈસીએ/૧૦/૨૦૦૨/૧૩૫૯/બ તા. ૧૧-૧-૨૦૦૭

(૩) ઉપરના હુકમો રદ કરવામાં આવે છે પરંતુ દરેક વેપારીએ પખવાડીક પત્રક કે જેમાં ઉઘડતો સ્ટોક, આવક, કુલ/વેચાણની વિગતો/બંધ સ્ટોક તથા જથ્થો જ્યાં સંગ્રહ કરવામાં આવેલ છે (ગોડાઉન) તે સ્થળની વિગતોનું પખવાડીક પત્રક ૧ થી ૧૫ તારીખનું ૧૬ તારીખે અને ૧૬ થી ૩૧ તારીખ સુધીનું દર માસની પહેલી તારીખે જીલ્લા પુરવઠા અધિકારીશ્રીને અને નાયબ નિયામક (પી.ડી.એસ.) ને નિયમિત રીતે મોકલવાના રહેશે.

ગુજરાતના સચિવપાલશ્રીના હુકમથી અને તેમના નામે,

આઈ.એસ.ચૌધરી,
સેક્શન અધિકારી.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

ORDER

Sachivalaya, Gandhinagar, 17th March, 2007.

No. GTH/2007/ 16 /ECA/10/2002/1359/B.- In pursuance of the order published by Government of India. S.O. 1373 (E) dated 29th, August, 2006 and also vide Government of India Order No. S.O. 297 (E) dated 27th February, 2007 amending the Removal of (Licensing Requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, Government of Gujarat hereby makes The Gujarat Wheat (Stock Declaration) Order, 2007 as under:

- (1) This order shall be called The Gujarat Wheat (Stock Declaration) Order, 2007.
- (2) This order shall come in force at once and remain in force till 31/8/2007.
- (3) Whether any Dealer / Producer hold for himself or hold on behalf of any other person at any time stock of wheat and wheat product (Wheat Flour) in excess of the quantities specified below shall have to declare it, to State Government.

Commodity	Category	Maximum stock limit (In quintals)
Wheat & Wheat product (Wheat flour)	(1) Retailer	500
	(2) Wholesaler	5000
	(3) Producer (Wheat Flour Mill)	Either 30,000 or one month stock of milling capacity whichever is less
	(4) Corporate sector- unit.	50,000

- (4) Wheat flour miller shall have to submit details of stock of wheat hold by him or on his behalf on fortnightly basis to concerned District Collector / Director of Civil Supplies, Gandhinagar (As per form attached herewith) with the details of its godowns, name of the parties for whom they are holding stocks and physical balance etc.
- (5) Wholesaler/ Retailer shall have to submit information about the stock held by them, weekly to concern Taluka Mamlatdar / District Supply Officer. (As per form attached herewith).
- (6) All corporate sector unit shall submit the details of opening stock transactions and closing stock on weekly basis i.e. every Monday with their godowns or place of storage to Director Civil Supplies Gandhinagar and copy to Collector of the district without fail.

- (7) Any movement of wheat (wheat flour) to outside the State of Gujarat by any Dealer/ Person/Party covered under this order shall have to be intimated 48 hours prior to such movement to concerned District Collector without fail.
- (8) All District Supply Officer shall collect, compile information of wheat stocks category wise received from wholesalers, retailers and fortnightly information of Roller Flour Mills and send Talukawise / Categorywise weekly and fortnightly information of the district to Director Civil Supplies, Gandhinagar on every Monday or on 2nd and 16th of every month.
- (9) This order shall not apply to Central and State Level Government Enterprises and Corporation (Viz., Food Corporation of India and Gujarat State Civil Supplies Corporation Limited).
- (10) Every Dealer, Producer / Roller Flour Miller or any person or any corporate unit engaged in the business of Wheat Wheat Flour shall have to strictly follow this Order. State Government would take action under Essential Commodities Act if any dealer, retailer and Miller or any corporate sector unit is found violating any of the provisions of this Order.
- (11) For the present, the licencing conditions under Essential Commodities Act have not been applied.

By order and in the name of the Governor of Gujarat,

JAYENDRA MODI,
Joint Secretary to Government.

STATEMENT

The statement showing declaration of Wheat Stock hold by (1) Roller Flour Mills (Fortnightly) and (2) Wholesalers, Retailers (Weekly).

1	Firm Name and Address Place of Business
2	Opening Stock
3	Weekly Stock
4	Details of purchase of stock
5	Information of sale / disposal stock
6	Detail information to whom stock is sold
7	Closing stock
8	Details of parties on whose behalf stock is kept
	(Sale to whom / information of to sale regarding out State).

INFORMATION FOR DISPATCH OUTSIDE GUJARAT STATE

(In quintal)

-
- 1 Name and Address of sender :-
 - 2 Name & Address of receiving party :-
 - 3 Detail of stock under transaction :-
 - (a) Wheat:
 - (b) Wheat Flour:
 - 4 Date of proposed dispatch :-
 - 5 Date of actual dispatch :-
 - 6 Route and hoarder of Gujarat State for the dispatch.

Date:

To,
Collector

.....District.

Signature &
Name of Firm



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 17th March, 2007.

No. GTH/2007/ 17 /ECA/102006/786/B.-Whereas the State Government is of opinion that it is necessary and expedient so to do for maintain supplies and for securing equitable distribution and availability at fair prices of pulses.

Now, therefore, in exercise of the powers conferred by Sec. 3 of Essential Commodities Act, 1955 (10 of 1955) Government of India Order No. S.O.297(E)dated 27th February, 2007.

1. **Short title, extent and commencement-**(1) This order may be called The Gujarat Pulses (Storage Control) Order, 2007.
 - (2) It extends to the whole of Gujarat State.
 - (3) It shall come in to force at once.
2. **Definitions:-**
 - (a) 'dealer' means a person engaged in the business of purchase, sale or storage for sale of any pulses, whether or not in conjunction with any other business and included his representative or Agent.
 - (b) 'producer' means person carrying on the business of milling any of the pulses:

- (i) by buying pulses for being processed by himself and selling the finished products through a wholesaler or through a commission agent; or
- (c) "Pulses" means urad, moong, mooling, arhar, masoor, lobia, raj-mahagram including peas or any other dal whether whole or split with or without husk;
- (d) "retailer" means a dealer in pulses who is not a wholesaler."
- (e) "wholesaler" means a dealer in pulses who sells such commodities to other dealers or to bulk consumers.

3. Restriction on possession of pulses.

(1) No dealer shall possess into force of his order wither by himself or by any person on his behalf store or have in his possession at any time any pulses in excess of the quantities specified below :

Commodities	Category		Stock limits		Remarks
			in quintals in the cases of		
(i) Pulses	1.	All Municipal Corporation Areas.	Wholesaler	Retailer	All pulses taken together.
			1000	50	
	1.	Other Cities / Areas.	750	40	

No producer shall store or have in his possession at anytime unmilled pulses in excess of the stocks specified as under :

Producer	Quantity of unmilled pulses		Quantity of finished stock of milled pulses.	
1.	2.		3.	
	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.
Producer of Pulses	One-twelfth of the maximum quantity of pulses used by him in any of the three years ending on the 31st day of December-2006.	For a period of one year from the date of commencement of his production. One twelfth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity.	One-twenty fourth of his maximum production in any of the three years ending on the 31st day of December, 2006	For a period of one year from the date of commencement of his production one twenty fourth of the quantity equal to his annual installed capacity.

4.Returns:- Every dealer, producer, retailer shall furnish a fortnightly return to concerned Taluka Mamlatdar and Collective information shall be submitted by District Collector to the Director of Civil Supplies.

5. Order not to apply in certain cases. - Nothing in this order shall apply-

- (i) to a Corporation or company owned or controlled by the Central Government or a State Government : or
- (ii) to any Central level or State level cooperative society, engaged in the production procurement, sales, purchase or distribution of pulses.

6. Power to exempt : The State Government may if it considers it necessary for avoiding any hardship or for any other just and sufficient reason. by notification in the official gazette exempt any producer dealer or commission agent from the operation of all or any of the provisions of this Order, either generally or for any specified period subject to such conditions as may be specified in the notification.

By order and in the name of the Governor of Gujarat,

JAYENDRA MODI,
Joint Secretary to Government.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 30th March, 2007.

No.GTH/10/2007/25/ECA/10/2006/786-B.—In exercise of the powers conferred by Section 3 of the E.C.Act, 1985 (10 of 1955) and Government of India Order No. S.O.297,(E) dated 27th February, 2007, the State Government of Gujarat hereby amends The Gujarat Pulses (Storage Control) Order, 2007.

- (1) This order shall be called ' The Gujarat Pulses (Storage Control)(Amendment) Order, 2007.
- (2) It shall come into force at once.
- (3) The amendment :

In the Gujarat Pulses (Storage Control) Order, 2007, after the clause 6, following clause-7 and clause-8 shall be inserted, namely :

7. Power of entry, search, seizure etc.—Any Civil Supplies Officer not below the rank of a Supplies Inspector, any Revenue Officer not below the rank of a Deputy Mamlatdar or any Police Officer not below the rank of a Police sub-Inspector and any other officer authorized by the State Government in this Behalf may with a view to securing compliance with this order and to satisfying himself that this Order has been complied with,-

- (i) enter and search any premises, vehicle, vessel or any other conveyance with such assistance as may be necessary,
- (ii) ask of any person all necessary question.
- (iii) examine any books or documents.
- (iv) search and, so far as may be necessary for the purpose, detain any person and seize-
 - (a) any stock of essential article 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;
 - (b) any package, covering or receptacle in which such essential article is found;
 - (c) any animal, vehicle, vessel or other conveyance used in carrying such essential article if he has reason to believe that such animal, vehicle vessel or other conveyance is liable to be forfeited under the provisions of the order.

(d) any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the order.

(e) take, or cause to be taken, the weight or measure of all or any of the stocks of essential articles found in any place.

(f) direct by an order in writing any person who owns or is in possession of any stock of any essential article in respect of which he has reason to suspect that a contravention of the provisions of this Order has been, is being or is about to be committed not to remove or dispose of in any manner such stock of essential article and package, covering or receptacle, in which such essential article is found and any animal, vehicle, vessel or other conveyance used in carrying such essential article without further directions from the officer making such order.

Provided that the provisions of section 100 of the Code of Criminal Procedure Act, 1973 (Act 2 of 1974) relating to search and seizure shall apply to search and seizure under this clause.

8. Storage Control Restriction shall not apply to imported pulses. Importers who deals in pulses shall have keep separate records" regarding purchase (import), storage, sale and shall maintain separate stock registers and shall have to keep necessary documents with them to assure the inspecting authorities in this regard at the time of inspection and shall have to furnish information to State Government/Concerned District Collector.

By order and in the name of the Governor of Gujarat,

R. N. PATEL,

Under Secretary to Government.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

ORDER

Sachivalaya, Gandhinagar, 11th April, 2007.

(1) No. GTH-10-2007- 28 -ECA-10-2006-786-B.- In exercise of the powers conferred by Section 3 of the E.C.Act, 1985 (10 of 1955) and Government of India Order No. S.O. 297 (E) dated 27th February, 2007,

(2) The amendment:

1. In the Gujarat Pulses .(Storage Control) Order, 2007, under the Clause -3, Stock-limits for Producers shall be substituted, accordingly.

No producer shall store or have in his possession at anytime unmilled pulses in excess of the stocks specified as under :

Producer 1	Quantity of unmilled pulses 2		Quantity of finished stock of milled pulses. 3	
	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.
Producer of Pulses	One-sixth of the maximum quantity of pulses used by him in any of the three years ending on the 31st day of December-2006.	For a period of one year from the date of commencement of his production. One-sixth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity.	One-twelfth of his maximum production in any of the three years ending on the 31st day of December, 2006.	For a period of one year from the date of commencement of his production one twelfth of the quantity equal to his annual installed capacity.

2. No producer shall store finished product exceeding $\frac{1}{2}$ of the quantity of unmilled pulses at any time.
3. Gram and Gramdal is exempted from the provisions of stock limits under this order.

By order and in the name of the Governor of Gujarat,

R.R. Chauhan,
Additional Secretary to Government.



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PART IV-A

Rules and Orders (Other than these published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 21st May, 2007.

No. GTH-2007/38/LPG/1097/2138/Part/B : In pursuance of Clause 27(1) of the Gujarat essential Articles (Licensing, Control and Stock Declaration) Order, 1981, Government of Gujarat hereby exempts Liquefied Petroleum Gas Dealers from application of the provisions of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, for further six months.

2. This shall be applicable to all L.P.G. Dealers in the State.
3. This order shall remain in force for further six months stipulated period i.e. 21st May, 2007 to 20th November, 2007.
4. The Gujarat Essential articles (Licensing, Control and Stock Declaration) Order, 1981 shall come into force immediately after the expiry of the exemption period (i.e. 21st November, 2007).

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



सत्यमेव जयते

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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 1st June, 2007.

No. GTH/10/2007/39/ECA/10-2002/1359/B.- In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1985 (10 of 1955) and Government of India Order No. S.O. 1373 (E) dated 29th August, 2006 and also vide Government of India Order No. S.O. 297 (E) dated 27th February, 2007 amending the Removal of (Licensing Requirements, Stock Limits and movement Restrictions on Specified Food Stuffs Order, 2002, Government of Gujarat hereby amends "The Gujarat Wheat (Stock Declaration) Order, 2007.

(1) This Order shall be called "the Gujarat Wheat (Stock Declaration) (Amendment) Order, 2007."

(2) It shall come into force at once.

(3) The Amendment.

(1) In "The Gujarat Wheat (Stock Declaration) Order, 2007 for the "Clause-7" "The following Clause shall be substituted. "(7) Any movement of Wheat (Wheat Flour) to outside the State of Gujarat by any dealer / person/party covered under this Order shall have to intimate within 12 Hours of dispatch to concerned District Collector without fail."

(2) In the Gujarat Wheat (Stock Declaration) Order 2007, the following Clause-12 shall be added.

"(12) Search and seizure :

Search and seizure powers shall remain with the authorities specified under Clause-11 of Gujarat Essential Articles Dealers (Regulation) Order, 1977. This clause shall come into force with retrospective effect. (i.e. from 17th March, 2007)".

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



सत्यमेव जयते

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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

ORDER

Sachivalaya, Gandhinagar. 6th June, 2007.

No. GTH/2007/40/ECA/102006/786/B. Whereas the State Government is of opinion that it is necessary and expedient so to do for maintain supplies and for securing equitable distribution and availability at fair prices of pulses.

Now, therefore, in exercise of the powers conferred by Sec. 3 of Essential Commodities Act, 1955 (10 of 1955) Government of India Order No. S.O. 297 (E) dated 27th February, 2007 read with the Gujarat Pulses (Storage Control) Order dated 17th March, 2007 and subsequent amendment orders dated 30th March, 11th April (main order and amendment are consolidated in this order).

1. **Short title, extent and commencement-**(1) This order may be called The Gujarat Pulses (Storage Control) Order, 2007.
 - (2) It extends to the whole of Gujarat State.
 - (3) It shall come in to force at once.
2. **Definitions:-**
 - (a) 'dealer' means a person engaged in the business of purchase, sale or storage for sale of any pulses, whether or not in conjunction with any other business and included his representative or Agent.
 - (b) 'producer' means person carrying on the business of milling any of the pulses:
 - (i) by buying pulses for being processed by himself and selling the finished products through a wholesaler or through a commission agent; or
 - (c) "Pulses" means urad, moong, mooling, arhar, masoor, lobia, raj-maha. including peas or any other dal whether whole or split with or without husk (gram and gramdal are exempted):
 - (d) "retailer" means a dealer in pulses. who is not a wholesaler."
 - (e) "wholesaler" means a dealer in pulses who sells such commodities to other dealers or to bulk consumers.

3. Restriction on possession of pulses.

(1) No dealer shall possess in excess of the stock specified in this order whether by himself or by any person on his behalf store or have in his possession at any time any pulses specified below :

Commodities	Category	Stock limits		Remarks
		in quintals in the cases of		
		Wholesaler	Retailer	
(i) Pulses	All places in the State.	1000	50	All pulses taken together.

(2) Stock limits for small scale producers shall remain as under :

- (a) Quantity of unmilled pulses - 500 quintal.
- (b) Quantity of finished stock of milled pulses - 250 quintal

(3) No producer shall store or have in his possession at anytime unmilled pulses in excess of the stocks specified as under :

Producer 1.	Quantity of unmilled pulses 2.		Quantity of finished stock of milled pulses. 3.	
	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.	(a) Producer who is carrying on business on the commencement of this Order.	(b) Producer who has commenced production after the commencement of this Order.
Producer of Pulses	One-sixth of the maximum quantity of pulses used by him in any of the three years ending on the 31st day of December-2006.	For a period of one year from the date of commencement of his production. One sixth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity.	One-twelfth of his maximum production in any of the three years ending on the 31st day of December, 2006	For a period of one year from the date of commencement of his production one twelfth of the quantity equal to his annual installed capacity.

Note:- No producer shall store finished product exceeding $\frac{1}{2}$ of the quantity of unmilled pulses at any time.

4. Returns :- Every dealer, producer, retailer shall furnish a fortnightly return to concerned Taluka Mamlatdar and Collective information shall be submitted by District Collector to the Director of Civil Supplies.

5. Order not to apply in certain cases. - Nothing in this order shall apply-

- (i) to a Corporation or company owned or controlled by the Central Government or a State Government : or
- (ii) to any Central level or State level cooperative society, engaged in the production procurement, sales, purchase or distribution of pulses.

6. Power to exempt : The State Government may if it considers it necessary for avoiding any hardship or for any other just and sufficient reason. by notification in the official gazette exempt any producer dealer or commission agent from the operation of all or any of the provisions of this Order, either generally or for any specified period subject to such conditions as may be specified in the notification.

7. Power of entry, search, seizure etc.- Any Civil Supplies Officer not below the rank of a Supplies Inspector, any Revenue Officer not below the rank of a Deputy Mamlatdar or any Police Officer not below the rank of a Police Sub-Inspector and any other officer authorized by the State Government in this Behalf may with a view to securing compliance with this order and to satisfying himself that this Order has been complied with,-

- (i) enter and search any premises, vehicle, vessel or any other conveyance with such assistance as may be necessary,
- (ii) ask of any person all necessary question.
- (iii) examine any books or documents
- (iv) search and, so far as may be necessary for the purpose, detain any person and seize –
 - (a) any stock of essential article 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;
 - (b) any package, covering or receptacle in which such essential article is found;
 - (c) any animal, vehicle, vessel or other conveyance used in carrying such essential article if he has reason to believe that such animal, vehicle, vessel or other conveyance is liable to be forfeited under the provisions of the order.
 - (d) any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the order.
 - (e) take, or cause to be taken, the weight or measure of all or any of the stocks of essential articles found in any place in any place.
 - (f) direct by an order in writing any person who owns or is in possession of any stock of any essential article in respect of which he has reason to suspect that a contravention of the provisions of this Order has been, is being or is about to be committed not to remove or dispose of in any manner such stock of essential article and package, covering or receptacle, in which such essential article is found and any animal, vehicle, vessel or other conveyance used in carrying such essential article without further directions from the officer making such order.

Provided that the provisions of section 100 of the Code of Criminal Procedure Act, 1973 (Act 2 of 1974) relating to search and seizure shall apply to search and seizure under this clause.

8.Storage Control Restriction shall not apply to imported pulses.

importers who deals in pulses shall have keep separate records" regarding purchase (import), storage, sale and shall maintain separate stock registers and shall have to keep necessary documents with them to assure the inspecting authorities in this regard at the time of inspection and shall have to furnish information to State Government / Concerned District Collector.

By order and in the name of Governor of Gujarat,

C. B. Parmar,
Section Officer.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 24th October, 2007.

No. GTH-2007-59-ECA-10-2002-1359-B.—In pursuance of the order published by Government of India, S.O. 1488 (E) dated 31st August, 2007, the Government of Gujarat hereby extends the validity of State Government Control Orders The Gujarat Wheat (Stock Declaration) Order, 2007 and The Gujarat Pulses (Stock Control) Order, 2007 for further period of six months from 1st September, 2007.

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



सत्यमेव जयते

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PART IV-C

Statutory Rules and Orders (Other than those published in Part I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Court, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, October 24, 2007

No. CHTH/2007/58/ECA/10/2002/1359/B.—The following order issued by Government of India, Ministry of Consumer Affairs, Food and Public Distribution, New Delhi is republished for general information of public :-

Ministry of Consumer Affairs and Public Distribution
(Department of Consumer Affairs).

Order

New Delhi, the 31st August, 2007.

S.O. 1488 (E).—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 further to amend the Removal of (Licensing requirements, Stock limits and Movement Restrictions) or Specified Foodstuffs Order, 2002, namely :-

1. Short title, extent and commencement :

- (i) This order may be called the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs (Second Amendment) Order, 2007.
- (ii) It shall come into force on and from the first day of September, 2007.

2. The words and expressions made in respect of purchase, movement, sale, supply, distribution or storage for sale in the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs Order, 2002 shall be kept in abeyance for commodities, namely, wheat and pulses for a period of six months from the date of commencement of this order.
3. Nothing contained in this order shall affect the transport, distribution or disposal of wheat and pulses (whole or split) to places outside the State, nor shall it be applicable to import of these commodities.

Provided that the Central Government or State Government may direct the importers to declare the receipts of stocks of these commodities and stock retained by them.

4. All other provisions of the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs Order, 2002 shall continue to remain in force even during the period mentioned in Clause 2 above.

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 24th October, 2007.

No. GTH-2007-59-ECA-10-2002-1359-B.--In pursuance of the order published by Government of India, S.O. 1488 (E) dated 31st August, 2007, the Government of Gujarat hereby extends the validity of State Government Control Orders The Gujarat Wheat (Stock Declaration) Order, 2007 and The Gujarat Pulses (Stock Control) Order, 2007 for further period of six months from 1st September, 2007.

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



सत्यमेव जयते

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PART IV-A

Rule and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT ORDER

Sachivalaya, Gandhinagar, 1st November, 2007.

GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981.

No. GTH/60/ECA/102007/925/B:--In pursuance of paragraph © of sub-clause (13) of clause 2 of the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, the Government of Gujarat hereby appoints the officer specified in column 2 of the Schedule appended hereto as the Licensing Authority for stipulated period in relation to the area specified against him in column 3 of the said schedule.

- (1) This order shall come into force at once.
- (2) SCHEDULE

Sr. No.	Officer	Area
1.	Assistant Food Controller, Ahmedabad	Ahmedabad City.

- (3) The appointment of Assistant Food Controller as Licensing Authority shall remain into force upto the completion of General Legislative Assembly Election in the State of Gujarat i.e. 20th December, 2007.

By order and in the name of the Governor of Gujarat,

C. B. PARMAR,
Section Officer.



सत्यमेव जयते

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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 23rd September, 2008.

No. GTH/2008/24/ECA/10/2002/1359/B.-In pursuance of the Order published by Government of India S. O. 2117 (E) dated 27th August, 2008, the Government of Gujarat, hereby extends the validity of State Government Control Orders, "The Gujarat Wheat (Stock Declaration) Order 2007, and "The Gujarat Pulses (Stock Control) Order 2007" for further period of eight months from 1st September, 2008.

By order and in the name of the Governor of Gujarat,

AKHTAR SAIYED,

Under Secretary to Government.

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 23rd September, 2008.

No. GTH/2008/25/ECA/10/2006/786/B.-In pursuance of the Order published by Government of India S. O. 1488 (E) dated 31st August, 2007, and thereafter subsequent extension order No. GSE 400, dated 28th February, 2008 and Gujarat Pulses (Storage Control) Order, 2007, the Government of Gujarat, hereby makes following amendment order.

- (i) This order may be called the Gujarat Pulses (Storage Control) (Amendment) Order, 2008.
- (ii) It shall come into force at once.
- (iii) **The Amendment**
 - (a) In the Gujarat Pulses (Storage Control) Order, 2007, the State Government includes "Gram and Gramdal" in the definition of Pulses, under this order.
 - (b) All the Provisions of the Gujarat Pulses (Storage Control) 2007, shall be applicable to Gram and Gramdal.

By order and in the name of the Governor of Gujarat,

AKHTAR SAIYED,

Under Secretary to Government.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 4th June, 2009.

No. GTH/2009/12/ECA/10/2002/1359/B.— In pursuance of the order published by Government of India S.O.906 (E) dated 2nd April, 2009, the Government of Gujarat, hereby extends the validity of State Control Order. "The Gujarat Pulses (Stock Control) Order, 2007" for further period of five months from 1st May, 2009 to 30th September, 2009.

By order and in the name of the Governor of Gujarat,

AKTHAR SAIYED,
Section Officer.



सत्यमेव जयते

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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 20th June, 2009.

No.GTH/2009/16/ECA/10/2009/506/B: In pursuance of the order published by Government of India, S.O. 649 (E) Dated 9th March, 2009 the Government of Gujarat hereby amends the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, accordingly-

1. Short title, Extent and commencement-
 - (a) This order may be called the Gujarat Essential Articles (Licensing Control and Stock Declaration) (Amendment) order, 2009.
 - (b) It extends to the whole State
 - (c) It shall come into force at once.
2. Following amendment is made in the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981.
 - (A) Following entry in Schedule-I Part-I under "Food stuffs" is inserted.

"E: Sugar (All kind of Sugar) including Khandsari."
 - (B) Stock provision in respect of Sugar (this commodity) shall remain same as per previous provision vide clause-3 of Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981.

By order and in the name of the Governor of Gujarat,

MUKESH MODI,

Deputy Secretary to Government.



सत्यमेव जयते

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PART IV-A

Rule and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 26th October, 2009.

No. GTH/2009/35/ECA/10/2009/1371/B :- In pursuance of the order published by Government of India S.O. 906 (E), dated 2nd April, 2009 and thereafter subsequent extension order No. GTH/2009/12/ECA/10/2002/1359/B, dated 4th June, 2009 and Gujarat Pulses (Storage Control) Order, 2007, the Government of Gujarat hereby makes following amendment order.

- (i) This order may be called the "Gujarat Pulses (Storage Control) (Amendment) Order, 2009".
- (ii) It shall come into force at once.
- (iii) The Amendment
 - A.
 - (a) In the Gujarat Pulses (Storage Control) Order, 2007, the State Government excludes "Gram & peas" from the definition of pulses, under this order.
 - (b) All the provisions of the Gujarat Pulses (Storage Control) 2007, shall not be applicable to Gram and peas.
 - B. In clause-5 under the Gujarat Pulses (Storage Control) Order 2007, the following clause-5 (iii) shall be inserted.

"5(iii) to any trader, firm/company authorized by Gujarat State Civil Supplies Corporation Ltd. To supply stock of pulses to Gujarat State Civil Supplies Corporation Ltd, required for public Distribution System or any other Government scheme upto the limit of the stock to be supplied".

By order and in the name of the Governor of Gujarat,

MUKESH MODI,
Deputy Secretary to Government.



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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 26th November, 2009.

No. GTH/2009/44/ECA/10/2002/1359/B:- In pursuance of the order published by Government of India S.O.2461(E) dated 25th September, 2009, the Government of Gujarat, hereby extends the validity of State Control Order. "The Gujarat Pulses (Storage Control) Order, 2007" for further period of one year from 1st October, 2009 to 30th September, 2010.

By order and in the name of the Governor of Gujarat,

MUKESH MODI,
Deputy Secretary to Government.

તાત્કાલિક/ફેક્સ ધ્વારા.

ક્રમાંક:- ઈસીએ-૧૦૨૦૦૯- ૭૩-બ
અન્ન નાગરિક પુરવઠા અને ગ્રા.બા.વિભાગ,
૧૪, સરદાર ભવન, છત્રીમાળ,
સચિવાલય, ગાંધીનગર.
તારીખ:- ૨૦-૬-૨૦૦૯

પ્રતિ,

- નિયામકશ્રી,
અન્ન અને નાગરિક પુરવઠા,
ગુ.રા. ગાંધીનગર.
- સર્વે કલેક્ટરશ્રી,
- નિયંત્રકશ્રી, અન્ન અને નાગરિક પુરવઠા
અમદાવાદ શહેર.
- સર્વે જિલ્લા પુરવઠા અધિકારીશ્રી.

વિષય:- રાજ્ય સરકાર ધ્વારા બહાર પાડવામાં આવેલ આદેશ બાબત.

શ્રીમાન,

રાજ્ય સરકાર ધ્વારા તા. ૨૦-૬-૦૯ ના રોજ બહાર પાડવામાં આવેલ આદેશ
(૧) સીએચટીએચ-૨૦૦૯-૧૫-ઈસીએ-૧૦૨૦૦૯-૫૦૬-બી
(૨) જીટીએચ-૨૦૦૯-૧૬-ઈસીએ-૧૦૨૦૦૯-૫૦૬-બી
(૩) સીએચટીએચ-૨૦૦૯-૧૭-ઈસીએ-૧૦૨૦૦૯-૭૩-બી
(૪) જીટીએચ-૨૦૦૯-૧૮-ઈસીએ-૧૦૨૦૦૯-૭૩-બી ની નકલ જાણ તથા જરૂરી
કાર્યવાહી અર્થે આ સાથે સામેલ છે.

રાજ્ય સરકાર ધ્વારા બહાર પાડવામાં આવેલ ઉપરોક્ત આદેશનો ચુસ્તપણે અમલ થાય તે
જોવા તથા જિલ્લામાં સંબંધિત અમલકર્તા અધિકારશ્રીઓને સૂચના આપવા વિનંતી છે.

વધુમાં ઉપરોક્ત આદેશ અનુસાર રાજ્ય સરકાર ધ્વારા ખાંડનો ગુજરાત આવશ્યક
ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ-૧૯૮૧ માં સમાવેશ કરવામાં
આવેલ હોઈ તે મુજબ જરૂરી કાર્યવાહી તાત્કાલિક હાથ ધરવા અને તેની અત્રે જાણ કરવા વિનંતી
છે.

આપનો વિશ્વાસુ,

(અખતર સૈયદ)

સેક્શન અધિકારી,

અન્ન નાગરિક પુરવઠા અને ગ્રા.બા.વિભાગ,
ગુજરાત સરકાર.

નકલ રવાના:- (જાણ અર્થે)

માન.મંત્રીશ્રીના (અ.ના.પુ) ના અંગત સચિવશ્રી

અગ્રસચિવશ્રીના રહસ્ય સચિવશ્રી, અ.ના.પુ. અને ગ્રા.બા.વિભાગ.

ECA-B

Food, Civil Supplies and Consumer Affairs Department
Order
Sachivalaya, Gandhinagar

Dated 20th June, 2009

No. CHTH/2009/13/ECA/10/2009/73/B: The following notification issued by the Government of India, Ministry of Consumer Affairs, Food and Public Distribution is republished for general information of public.

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Food and Public Distribution)

ORDER
New Delhi, the 12th March, 2009

G.S.R. 164(e): In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1995 read with the Clause 5 of the Sugar (Control) Order, 1966, the Central Government hereby directs that recognized dealer of sugar shall hold any stock of vacuum pan sugar for a period exceeding thirty days from the date of receipt by him of such stock and shall not keep in stock at any time vacuum pan sugar, in the places mentioned below, in excess of the quantities mentioned against each-

- (i) in Kolkata and extended area-
 - (a) recognized dealers who import sugar from outside West Bengal - 10,000 quintals;
 - (b) other recognized dealers - 2000 quintals;
- (ii) in other places - 2000 quintals

Provided that nothing in this order shall apply to the holding or keeping of stock of sugar-

- (i) on Government account; or
- (ii) by the recognized dealers nominated by a State Government or an officer authorized by it to hold stock for distribution through fair price shops; or
- (iii) By the Food Corporation of India.

Provided further that the aforesaid stock holding limit or turn over period of stocks will not apply to sugar importers under open General License.

Further, in exercise of powers conferred by Clause 15 of the said Order, the Central Government authorizes the State Governments or Union Territory Administrations to fix the stock holding and turn over limits their respective State or Union Territories subject to the following conditions-

- (i) the stock holding limit and/or the turn over period shall not be less than the limit or period as being specified above by the Central Government; and
- (ii) The stock holding limit of a recognized dealer dealing in retail trade shall be at a level less than that specified for a wholesaler.

Explanation: For the purpose of this Notification-

- (i) "Kolkatta and extended area" means the area specified in the schedule to the notification of the Government of West Bengal No.7752/FS/F-5/14R 92/61, dated the 16th December, 1964; and
- (ii) For counting the period holding of the stock, the date on which any stock is received by the recognized dealer shall be included.

2. This Order shall come into force after fifteen days of its publication in the Official Gazette and shall remain into force for a period of four months thereafter.

(F.No.1-17/98-SPY.D.II)
N.SANYAL, Jt. Secy,

By order and in the name of the Governor of Gujarat,

MUKESH MODI
Deputy Secretary to the Government of Gujarat

4. Exemption

Nothing in this order shall apply to the holding in this order shall apply to the holding or keeping of stock of sugar-

- (i) on Government account; or
- (ii) by the recognized dealers nominated by a State Government or an officer authorized by it to hold stock for distribution through fair price shops;
- (iii) by the Food Corporation of India; or
- (iv) Importers who imports sugar under open general license from other countries. *

By order and in the name of the Governor of Gujarat,

MUKESH MODI

Deputy Secretary to the Government of Gujarat

⑤
Food, Civil Supplies and Consumer Affairs Department
Order
Sachivalaya, Gandhinagar

Dated 20th June, 2009

No.GTH/2009/14/ECA/10/2009/73/B: In pursuance of the Sugar (Control) Order, 1966 and Government of India Order G.S.R. 164 (E), dated 12th March, issued thereunder, the Government of Gujarat issue the following order, namely-

2. Short title, extent and commencement-

(a) This Order shall be called

“The Gujarat Sugar (stock holding and turn over limits on recognized dealer) Order, 2009.

(b) It extends to the whole Gujarat State

(c) It shall come into force at once.

2. Stock holding limits in respect of recognized dealer of Sugar.

(1) For Wholesaler

2,000 Quintals for all recognized dealers at all places in the State.

(2) For Retailers : 200 quintals for all places in Gujarat

3. Turnover Limits:

No recognized dealer shall hold any stock of Vacuum Pan Sugar for a period exceeding 30 (thirty) days from the date of receipt by him of such stock and shall not keep in stock at any time Vacuum Pan Sugar in his possession.

Food, Civil Supplies and Consumer Affairs Department
Order
Sachivalaya, Gandhinagar

Dated 20th June, 2009

No. CHTH/2009/15/ECA/10/2009/506/B: The following notification issued by the Government of India, Ministry of Consumer Affairs, Food and Public Distribution is republished for general information of public.

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Consumer Affairs)

ORDER

New Delhi, the 9th March, 2009

S.O. 649(E).- 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 further to amend the Removal of (Licensing Requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, namely:-

1. (1) This Order may be called the Removal of (Licensing Requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs (Amendment) Order, 2009.

(2) It shall come into force on the date of its publication in the official Gazette.

2. The words and expressions used in respect of purchase, movement, sale, supply, distribution or storage for sale in the Removal of (Licensing Requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, shall be kept in abeyance for commodity, namely, Sugar for a period of four months from the date of issue of this Order or further Order, whichever is earlier.

..2..

3. Nothing contained in this Order shall affect the transport, distribution or disposal of sugar to places outside the State, nor shall it be applicable to import of this commodity;

Provided that the Central Government or State Governments may direct the importers to declare the receipts of stocks of sugar, and stocks retained by them.

4. All other provisions of the Removal of (Licensing Requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, shall continue to remain in force even during the period mentioned in clause 2 above.

(F.No.10/2009-ECR&E).

RAJESH KACKER, Addl. Secy.

By order and in the name of the Governor of Gujarat,

MUKESH MODI

Deputy Secretary to the Government of Gujarat



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. L]

SATURDAY, JUNE 20, 2009/JYAISTHA 30, 1931

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Order

Sachivalaya, Gandhinagar, 20th June, 2009.

No.GTH/2009/14/ECA/10/2009/73/B.--In pursuance of the Sugar (Control) Order, 1966 and Government of India Order G.S.R. 164 (E), dated 12th March, issued thereunder, the Government of Gujarat issue the following order, namely-

2. Short title, extent and commencement-

(a) This Orders shall be called

The Gujarat Sugar (stock holding and turn over limits on recognized dealer) Order, 2009.

(b) It extents to the whole Gujarat State

(c) It shall come into force at once.

2. Stock holding limits in respect of recognized dealer of Sugar.

(1) For Wholesaler

2,000 Quintals for all recognized dealers at all places in the State.

(2) For Retailers : 200 quintals for all places in Gujarat

3. Turnover Limits:

No recognized dealer shall hold any stock of Vacuum Pan Sugar. for a period exceeding 30 (thirty) days from the date of receipt by him of such stock and shall not keep in stock at any time Vacuum Pan Sugar in his possession.

4. Exemption

Nothing in this order shall apply to the holding in this order shall apply to the holding or keeping of stock of sugar-

- (i) on Government account; or
- (ii) by the recognized dealers nominated by a State Government or an officer authorized by it to hold stock for distribution through fair price shops;
- (iii) by the Food Corporation of India; or
- (iv) Importers who imports sugar under open general license from other countries.

By order and in the name of the Governor of Gujarat,

MUKESH MODI,
Deputy Secretary to Government.

ક્રમાંક:- ઈસીએ-૧૦૨૦૦૭- ૪૭૨૮૩૫-બ
અન્ન નાગરિક પુરવઠા અને ગ્રા.બા.વિભાગ,
૧૪, સરદાર ભવન, છઠ્ઠો માળ,
સચિવાલય, ગાંધીનગર.
તારીખ:- ૪ -૧ -૨૦૧૦

પ્રતિ,

- (૧) નિયામકશ્રી (અન્ન, અને ના.પુ) સચિવાલય, ગાંધીનગર.
- (૨) સર્વે જિલ્લા કલેક્ટરશ્રીઓ
- (૩) અન્ન નિયંત્રકશ્રી, અમદાવાદ શહેર, અમદાવાદ.
- (૪) સર્વે જિલ્લા પુરવઠા અધિકારીશ્રીઓ

વિષય:- ભારત સરકારના રાઈસ (સ્ટોક ડેકલેરેશન બાય કંપનીઝ ઓર ફર્મ્સ ઓર ઈન્ડીવીડ્યુઅલ્સ) ઓર્ડર, ૨૦૦૮ બાબત.

શ્રીમાન,

ભારત સરકારે તા. ૧૧-૧૧-૨૦૦૮ ના રોજ રાઈસ (સ્ટોક ડેકલેરેશન બાય કંપનીઝ ઓર ફર્મ્સ ઓર ઈન્ડીવીડ્યુઅલ્સ) પ્રસિધ્ધ કરેલ છે. સદરહુ હુકમની નકલ તથા ભારત સરકારના તા. ૨૪-૧૧-૨૦૦૮ ના પત્રની નકલ આ સાથે સામેલ છે.

૨/- આ ઓર્ડરની મહત્વની જોગવાઈઓ નીચે મુજબ છે.

(૧) જે કંપની / ફર્મ્સ / વ્યક્તિ વર્ષ ૨૦૦૮-૨૦૧૦ ની ખરીદ માર્કેટીંગ સીઝન એટલે કે ઓક્ટોબર, ૨૦૦૮ થી સપ્ટેમ્બર, ૨૦૧૦ સુધી ડાંગર અથવા ચોખા (રાઈસ) ૧૦,૦૦૦ (દસ હજાર) મેટ્રીકટન કરતાં વધુ ખરીદે, તો તે અંગેની ફરજીયાત જાણ નિયત કરેલ રીટર્નમાં નિયત સમયગાળે રાજ્ય સરકારને કરવાના રહેશે તેથી આ અંગેની સંબંધિત સર્વે ધ્વારા ગુજરાત રાજ્યના સંદર્ભ નિયામકશ્રી, અન્ન અને નાગરિક પુરવઠા, બ્લોક નં. ૧૪, પમો માળ, સચિવાલય, ગાંધીનગરને જાણ કરવાની રહેશે.

(૨) ૨૫,૦૦૦ (પચ્ચીસ હજાર) મેટ્રીકટન (દશભરમાંથી કુલ ખરીદેલ) થી વધુ ડાંગર અથવા ચોખા (રાઈસ) ની ખરીદી કરેલ હોય તેવા કિસ્સાઓમાં, કેન્દ્ર સરકારે નક્કી કરેલ ફોર્મમાં તથા તેવા સમયગાળે ભારત સરકારના ઉપસચિવશ્રી (નીતિ-૩) અન્ન અને જાહેર વિતરણ વિભાગ, કમરા નં. ૨૮૮, કૃષિભવન, નવી દિલ્હી-૧૧૦ ૦૦૧ (ફેક્સ નં. ૦૧૧-૨૩૭૮ ૨૨૧૩) ને કરવાની રહેશે. તથા રાજ્ય સરકાર કક્ષાએ નિયામકશ્રી, અન્ન અને નાગરિક પુરવઠા, બ્લોક નં. ૧૪, પમો માળ, સચિવાલય, ગાંધીનગરને પણ જાણ કરવાની રહેશે.

(૩) રાજ્ય સરકારમાં ફાઈલ થયેલ આવા રીટર્નની એકત્રિત માહિતી નિયામકશ્રી, અન્ન અને ના.પુ. દ્વારા ભારત સરકારને દરેક મહિનાની ૧૦મી તારીખ સુધીમાં મોકલવાની રહેશે.

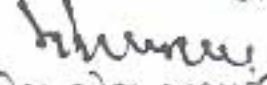
.....૨

(૪) ૧લી ઓક્ટોબર-૨૦૦૮થી ૩૧ મી ડિસેમ્બર, ૨૦૦૮ સુધી દર અઠવાડિયાના શુક્રવારે સાંજના ૪.૦૦ વાગ્યા સુધી તથા ૧લી જાન્યુઆરી, ૨૦૧૦ થી ૩૦ મી સપ્ટેમ્બર-૨૦૧૦ સુધી, તે માસના છેલ્લા શુક્રવારે આવા રીટર્ન સંબંધિત કંપની/ફર્મ/વ્યક્તિએ રાજ્ય સરકાર/કેન્દ્ર સરકારને ફાઈલ કરવાના રહેશે.

૩/- આ આદેશની જોગવાઈઓનું ચુસ્તપણે પાલન થાય તે મુજબ કાર્યવાહી કરવા તથા આ હુકમની જોગવાઈઓ સંબંધિત કંપનીઓ / વ્યક્તિઓના ધ્યાને આવે તે માટે બહોળી પ્રસિધ્ધિ આપવા જરૂરી કાર્યવાહી કરવા વિનંતી છે. રાજ્ય સરકાર ધ્વારા પ્રસિધ્ધ કરાયેલ આદેશ ક્રમાંક: સીએચટીએચ/૨૦૧૦/૨/ઈસીએ/૧૦૨૦૦૭/૪૭૨૮૩૫/બી તા. ૪-૧-૨૦૧૦ની નકલ આ સાથે સામેલ છે.

૪/- નિયામકશ્રી (અન્ન, ના.પુ) એ કંપનીઓ / સંસ્થાઓ / વ્યક્તિઓ પાસેથી મળેલ રીટર્નની એકત્રિત માહિતી દર મહિનાની ૧૦ મી તારીખ સુધીમાં ભારત સરકારને અચૂક મોકલી આપવા આજ્ઞાનુસાર વિનંતી છે.

આપનો વિશ્વાસુ,


(એમ.એચ.ખુમારી)

સેક્શન અધિકારી,

અન્ન નાગરિક પુરવઠા અને ગ્રા.બા.વિભાગ,
ગુજરાત સરકાર.

બિડાણ:- ઉપર મુજબ.

**Food, Civil Supplies and Consumer Affairs Department
Order
Sachivalaya, Gandhinagar**

Dated 4th January, 2010

No.CHTH/2010/ 2 /ECA/10/2009/472835/B: The following order issued by the Government of India, Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution), New Delhi, is published for general information of public:

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Food and Public Distribution)

ORDER

New Delhi, the 11th November, 2009

S.O.2878(E).- 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, commencement and application.—

- (1) This Order may be called the Rice (Stock Declaration by Companies or Firms or individuals) order, 2009.
- (2) It extends to the whole of India.
- (3) It shall come into force on the date of its publication in the Official Gazette.
- (4) It shall not apply to any paddy or rice purchased by or on behalf of the Food Corporation of India.

2. Definitions.—In this Order, unless the context otherwise requires,-

- (a) "Food Corporation of India" means the Food Corporation of India established under section 3 of the Food Corporation of India Act, 1964 (37 of 1964);

- (b) "Form" means a form annexed to this Order;
- (c) "rice" means mature kernels or pieces of kernels or *Oryza sativa* Linn, obtained from paddy as raw or parboiled; and
- (d) "company" means a company notified under the Companies Act, 1956 (1 of 1956)

3. Return relating to purchase of rice by a Company or Firm or Individual,-

- (1) Any company or Firm or Individual who purchases paddy (in terms of rice) or rice in excess of 10,000 Metric Tonnes (total purchases made throughout the country) during the Kharif Marketing Season 2009-10 (October-September), shall furnish to the Secretary, Department of Food of the State from where maximum quantity has been purchased, a return in the "Form" as annexed to this order at such intervals as may be specified by the Central Government.
- (2) In case the purchase of paddy (in terms of rice) or rice exceeds 25,000 Metric Tonnes (total purchases made throughout the country), the return in the said "Form" at such intervals specified therein shall be furnished to the Under Secretary (Policy-III), Department of Food and Public Distribution, Room No.288A, Krishi Bhavan, New Delhi -110 001 (Fax No. 011- 23782213, e-mail: uspy34.fpd@nic.in).
- (3) The concerned State Governments with which the returns are filed by any Company or Firm or Individual in said "Form" declaring purchase of paddy(in terms of rice)or rice in excess

of 10,000 Metric Tonnes shall submit a consolidated monthly report to the Under Secretary (Policy-III), Department of Food and Public Distribution by the 10th of every month..

(F.No.3(4)2007-Py.III)
SIRAJ HUSSAIN, Jt. Secretary

FORM

(See clause 3)

FORMAT FOR FURNISHING OF WEEKLY OR MONTHLY RETURN BY COMPANY OR FIRM OR INDIVIDUAL REGARDING PURCHASE OF RICE.

Statement as on

To be submitted every week by Friday 16.00 hours during the period the 1st October,2009 to 31st December,2009 and every last Friday of the month thereafter till the 30th September,2010.

- (1) Name of Company Firm or Individual with full postal address:
- (2) PAN Number
- (3) Cumulative quantity of Rice or Paddy purchased (in tonnes)
up to.....(State wise details).
- (4) Purchased during the week or month (in tonnes).

(5) Details of stocks on date:-

State	Location and address of godown	Quantity in tonnes

Signature of authorized signatory of Company or Firm or Individual.

Place:.....

Date:.....

By order and in the name of the Governor of Gujarat,

M.H. KHUMAR
Section Officer



The Gujarat Government Gazette

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

અન્ન નાગરિક પુરવઠા અને ગ્રા. બા. વિભાગ,

આદેશ

સચિવાલય, ગાંધીનગર, ૧૮મી ફેબ્રુઆરી, ૨૦૧૧

ક્રમાંક : જીટીએચ-૨૦૧૧-૨૪-ઈસીએ-૧૦-૨૦૧૧-૪૨૮૮૨-બ .- ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ-૧૯૮૧ની કંડિકા-૨૪(૧) હેઠળ મળેલ સત્તા હેઠળ રાજ્ય સરકાર નીચે મુજબનો સુધારા આદેશ બહાર પાડે છે.

- (૧) આ આદેશ ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) (સુધારા) આદેશ-૨૦૧૧ કહેવાશે.
- (૨) આ આદેશ તા. ૧-૪-૨૦૧૧ થી અમલમાં આવશે.
- (૩) આ આદેશ સમગ્ર ગુજરાત રાજ્યને લાગુ પડશે.
- (૪) સુધારો : - ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ-૧૯૮૧ હેઠળના પ્રવર્તમાન ફોર્મ-‘અ’, ફોર્મ-બ તથા ફોર્મ ‘ક’ રદ કરી તેના બદલે હવેથી નવા નીચે દર્શાવ્યા મુજબના ફોર્મ-અ, ફોર્મ-બ અને ફોર્મ-ક ને અમલમાં મુકવામાં આવે છે.

ફોર્મ-“અ”

(જુઓ કલોઝ ૪(૧))

ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ ૧૯૮૧

આવશ્યક ચીજ વસ્તુનો પરવાનો મેળવવા/પરવાનો રીન્યુ કરાવવા માટેની અરજી

(આવશ્યક ચીજ વસ્તુનું નામ વિગત દર્શાવવી)

પ્રતિ,

મામલતદારશ્રી,

તાલુકો :

જિલ્લો :

૧. (અ) અરજી કરનાર એકમનું નામ :-

(બ) અરજી કરનાર એકમનો પ્રકાર :-

(૧) વ્યક્તિગત (૨) ભાગીદારી પેઢી (૩) કંપની (૪) સહકારી સંસ્થા

૨. (અ) વ્યક્તિગત ધોરણે અરજી કરનાર અથવા ભાગીદારી પેઢી/કંપની/સહકારી સંસ્થાવતી અરજી કરનારની વિગત :-

અટક..... નામ..... પિતા/પતિનું નામ.....

(બ) અરજી કરનારનું રહેણાંકનું સરનામું :-

ઘર નં : શેરી/મહોલ્લો/ફળીયું :

ગામ નં. : તાલુકો : જિલ્લો :

૩. રાષ્ટ્રીયતા :-

૪. ટેલીફોન નંબર મોબાઈલ નંબર : ઈમેલ.....

૫. ઉત્પાદક જથ્થાબંધ વિકેતા, છુટક વિકેતા કે ફેરીયા પૈકી જે કક્ષા માટે પરવાનો જોઈતો હોય તેની વિગત :

૧. ઉત્પાદક ૨. જથ્થાબંધ વિકેતા ૩. કમિશન એજન્ટ

૪. છુટક વિકેતા ૫. ફેરીયા

૬. અરજદારના ધંધાના સ્થળ અંગેની વિગતો જેવી કે મકાન નં., મહોલ્લો, શહેર અથવા ગામ અને તાલુકો તથા જિલ્લો :

ધંધાનું સ્થળ	સરનામું			ક્ષેત્રફળ (ચો.મી.)
રજીસ્ટર ઓફિસ	સ્થળ	તાલુકો	જિલ્લો	

અરજદારે આપવાની વિગતો

અ.નં.	નામ	જન્મ તારીખ અને ઉંમર	પુરુષ/સ્ત્રી	સંસ્થામાં હોદ્દો	સંસ્થામાં જોડાયા તારીખ	ધંધો/વ્યવસાય. માત્ર નંબર લખવો #	શૈક્ષણિક લાયકાત માત્ર નંબર લખવો*	વાર્ષિક આવક	ચુંટણી કાર્ડ નંબર	ડ્રાઈવીંગ લાયસન્સ નંબર	રેશનકાર્ડ નંબર
જો અરજદાર પેઢિ/કંપની/સહકારી સંસ્થા હોય તો ભાગીદારો અંગેની વિગતો											

- * (૧) બિલકુલ નિરક્ષર (અભણ) તેની સામે -૧ # (૧) ખેતી
 (૨) ધો. ૧ થી ૭ સુધી ભણેલા તેની સામે -૨ (૨) ધંધો/વેપાર/વ્યવસાય
 (૩) ધો. ૧૦ સુધી (ધો. ૧૦ નાપાસ) -૩ (૩) ઉદ્યોગકાર
 (૪) ધો. ૧૦ થી ધો. ૧૨ સુધી -૪ (૪) કારીગર
 (૫) ધો. ૧૨ પાસ -૫ (૫) પ્રોવીડન્ડ ફંડ સાથેની નોકરી એટલે કે (સરકારી/ખાનગી/સંગઠિત ક્ષેત્રની નોકરીઓ)
 (૬) ધો. ૧૦ થી ૧૨ બાદ સર્ટિફિકેટ ડિપ્લોમાં -૬ (૬) પ્રોવીડન્ડ ફંડ વગરની નોકરી એટલે કે, (અસંગઠિત ક્ષેત્રમાં નોકરી દા.ત. નાના ખાનગી એકમો)
 (૭) સ્નાતક/અનુ. સ્નાતક (આર્ટ્સ, કોમર્સ, સાયન્સ) -૭ (૭) અન્ય
 (૮) ટેકનીકલ સ્નાતક, એમ.બી.એ., કાયદા સ્નાતક -૮

આથી હું જાહેર કરુ છું કે ઉપર જણાવેલ વિગતો/હકીકત મારી જાણકારી અને માન્યતા મુજબ સંપૂર્ણ સાચી છે.

અરજદારની

સહી

૭. અરજીની તારીખે અરજદારીની પાસેની તમામ આવશ્યક ચીજ વસ્તુના જથ્થાની વિગતો અને જથ્થો સંગ્રહ કરેલ હોઈ/કરવાનો હોઈ તે ગોડાઉનની સંપૂર્ણ વિગતો :- (દરેક આવશ્યક ચીજ વસ્તુના સંદર્ભમાં વિગતો અલગ અલગ દર્શાવવી).

અ.નં.	સંગ્રહ કરવામાં આવેલ ગોડાઉનની વિગતો		આવશ્યક ચીજ વસ્તુનું નામ	જથ્થો
૧	ગોડાઉનનું સરનામું મકાન નં.....શેરી/ફળીયું..... તાલુકો.....	ગોડાઉનનું ક્ષેત્રફળ..... ચો.મી.		
૨	ગોડાઉનનું સરનામું મકાન નં.....શેરી/ફળીયું..... તાલુકો.....	ગોડાઉનનું ક્ષેત્રફળ..... ચો.મી.		
૩	ગોડાઉનનું સરનામું મકાન નં.....શેરી/ફળીયું..... તાલુકો.....	ગોડાઉનનું ક્ષેત્રફળ..... ચો.મી.		
૪	ગોડાઉનનું સરનામું મકાન નં.....શેરી/ફળીયું..... તાલુકો.....	ગોડાઉનનું ક્ષેત્રફળ..... ચો.મી.		

૮. અરજદાર આ અંગે અગાઉ અન્ય કોઈ આદેશ હેઠળ ગુજરાત રાજ્યમાં પરવાનો ધરાવતા હતા કે કેમ ? (જો તેમ હોય તો તે અંગેની વિગત તથા કોઈ કાર્યવાહી-પરવાનો મોકુફ/રદ થયેલ હોય તો તેની વિગતો)

પરવાના નંબર	જે ઓર્ડર હેઠળ ઈસ્યુ થયેલ હોય તેનું નામ	પગલાં	પરવાનો મોકુફ/રદ	વર્ષ

૯. ચાલુ વર્ષ અને છેલ્લા ત્રણ વર્ષ દરમિયાન આવશ્યક ચીજ વસ્તુના જથ્થાનું વાર્ષિક ટર્ન ઓવર :-
(વિગતો વર્ષવાર જણાવવી)

ક્રમ	આવશ્યક ચીજ વસ્તુનું નામ	જથ્થાનું વાર્ષિક ટર્ન ઓવર (છેલ્લા ત્રણ વર્ષની વિગત)			ચાલુ વર્ષ દરમિયાન જથ્થાનું સંભવિત ટર્ન ઓવર
		વર્ષ	વર્ષ	વર્ષ	

૧૦. આ અરજી કર્યાના વર્ષની અગાઉના બે વર્ષ દરમિયાન ભરેલ આવકવેરાની વિગતો :-
(વર્ષવાર અલગ દર્શાવવી)

ઈન્કમેટેક્સનું પાનકાર્ડ નંબર	વર્ષ	ભરેલ આવક વેરો

૧૧. કેન્દ્રીય/રાજ્યના 'વેટ' ટેક્સ ભરેલ હોય તેની છેલ્લા બે વર્ષની વિગતો :-

(વર્ષવાર અલગ દર્શાવવી)

(અ) વેટ નંબર	રાજ્ય વેટ ચૂકવણું	વર્ષ
(બ) કેન્દ્રીય વેચાણવેરા નંબર	કેન્દ્રીય વેચાણવેરા ચૂકવણું	વર્ષ

૧૨. આવશ્યક ચીજ વસ્તુ સંબંધિત કોઈ ગુનામાં અરજદાર ક્યારેય કસુરવાર થયેલ છે કે કેમ ? જો તેમ હોય તો તેની વિગતો :-

વર્ષ	કસુરવાર ઠરેલ તેની વિગત	કોર્ટ ઓર્ડર	વિગત

૧૩. આથી હું જણાવું છું કે, આજની તારીખે મારી હસ્તક ઉપર જણાવ્યા મુજબની આવશ્યક ચીજ વસ્તુ અને તે ઉપર જણાવેલ સ્થળે/જગ્યાએ જથ્થો સંગ્રહ કરેલ/ રાખેલ છે.

મેં આવશ્યક ચીજ વસ્તુ (પરવાના, નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ-૧૯૮૧ હેઠળના ફોર્મ-'બી'માં શરતોને કાળજી પૂર્વક વાંચી છે.

- * (અ) મે અગાઉ આ પ્રકારના પરવાના માટે/અન્ય કોઈ આવશ્યક ચીજ વસ્તુના પરવાના માટે આ જલ્લામાં અરજી કરેલ નથી.
- * (બ) મે આ જલ્લામાં..... ના પરવાના માટે અરજી કરેલ હતી/જે.....ના રોજ માન્ય રહેલ નથી/ના મંજૂર થયેલ હતી.
- * (ક) હું મારા પરવાના નં.....ને પાંચ વર્ષ માટે રીન્યુ કરવા માટે અરજી કરું છું.
- * (ડ) હું આથી મને ઈસ્યુ કરવામાં આવેલ લાયસન્સ નંબર.....તા..... ને પુનઃ ઈસ્યુ કરવા માટે અરજી કરું છું.

આથી હું જાહેર કરું છું કે ઉપર જણાવેલ વિગતો/હકીકત મારી જાણગારી અને માન્યતા મુજબ સંપૂર્ણ સાચી છે.

- * (જે લાગુ ના પડતું હોય તે છેકી નાખવું).

સ્થળ :

તારીખ :

અરજદારની સહી.

ફોર્મ-“બ”

(જુઓ કલોઝ ૪(૨))

ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ ૧૯૮૧

આવશ્યક ચીજ વસ્તુના ખરીદ, વેચાણ, વેચાણ માટે સંગ્રહ માટેનો પરવાનો

પરવાના ધારકનો
પાસપોર્ટ સાઈઝનો ફોટો
તથા તેના પર પરવાના
અધિકારીની કચેરીનું
રાઉન્ડ સીલ

બીન તબદીલીપાત્ર

રાજ્ય સરકાર દ્વારા ગુજરાત આવશ્યક ચીજવસ્તુ (પરવાના નિયંત્રણ અને જથ્થા જાહેરાત) આદેશ-૧૯૮૧ હેઠળની શરતોને જોગવાઈઓ તથા નીચે જણાવેલ શરતોને આધીન આ પરવાનો ઈસ્યુ કરવામાં આવે છે.

૧. પરવાના નં. :- ઈસ્યુ કર્યા તા.....

૨. પરવાનાની કક્ષા :-

(અ) ૧. ઉત્પાદક ૨. જથ્થાબંધ વિક્રેતા ૩. કમિશન એજન્ટ ૪ છુટક વિક્રેતા ૫. ફેરિયા

૩. એકમનો પ્રકાર :-

(૧) વ્યક્તિગત (૨) ભાગીદારી પેઢી (૩) કંપની (૪) સહકારી સંસ્થા

૪. પરવાનેદાર/એકમનું નામ :-

અટક.....નામ.....પિતા/પતિનું નામ.....

રહેણાંકનું સરનામું :-

ઘર નં :- શેરી/મહોલ્લો/ફળીયું.....

ગામ :-તાલુકો : જિલ્લો :

ટેલીફોન નંબર :-મોબાઈલ નંબર :-ઈમેલ.....

૫. ભાગીદારોની વિગત (પેઢી/એકમના સંદર્ભમાં) :-

અ.નં.	પુરું નામ	સરનામું	પેઢીમાં હોદ્દો

દ. ધંધાનું સ્થળ :-

ધંધાનું સ્થળ	સરનામું			ક્ષેત્રફળ (ચો.મી.)
રજીસ્ટ્રાર ઓફિસ	સ્થળ	તાલુકો	જિલ્લો	

૭. (અ) આવશ્યક ચીજ વસ્તુઓ :-

.....
.....

(બ) નવી ઉમેરવામાં આવી હોય તો તેની વિગત :-.....

.....

લાઈસન્સ સત્તાધિકારીના સહી/સિક્કો/તા.....

૮. ગોડાઉનની વિગત (આ જણાવેલ ગોડાઉન સિવાય અન્યત્ર સંગ્રહ કરી શકાશે નહીં) :-

(અ) ગોડાઉનનું સ્થળ	સરનામું			ક્ષેત્રફળ (ચો.મી.)
	સ્થળ	તાલુકો	જિલ્લો	

(બ) ગોડાઉનના સ્થળ ફેરફાર (જો થયેલ હોય તો તેની વિગત) :-

ફેરફાર કરેલ નવી જગ્યા :-

.....

લાઈસન્સ સત્તાધિકારીના સહી/સિક્કો/તા.....

લાઈસન્સ તાજુ (રીન્યુ) કરવા સંબંધિત વિગતો

આ લાઈસન્સ નીચેની મુદત સુધી તાજુ (રીન્યુ) કરવામાં આવે છે.

ક્રમ	તારીખ/સમયગાળો	
૧.	તા. થી તા.	લાઈસન્સ સત્તાધિકારીની સહિ. તા. સિક્કો

શરતો

૧. દરેક લાઈસન્સ ધરાવનારે પોતે સ્ટોર કરેલી આવશ્યક ચીજવસ્તુઓ યોગ્ય સ્થિતિમાં જળવાય અને આવશ્યક ચીજવસ્તુઓને જમીનના ભેજ, વરસાદ, આગ, જીવાત, ઉંદર જેવા પ્રાણીઓ, પક્ષીઓથી અને આવા બીજા કારણે નુકશાન ન થાય તે માટે પુરતા પગલાં લેવા જોઈશે. લાઈસન્સ ધરાવનારે એ પણ જોવું કે આવશ્યક ચીજવસ્તુઓને બગાડવાનો સંભવ હોય તેવા રસાયણિક ખાતરો, જંતુનાશક દવાઓ અને ઝેરી રસાયણો તેમજ ગોદાંમમાં આવશ્યક ચીજવસ્તુઓ સાથે અથવા આવશ્યક ચીજવસ્તુઓના સ્ટોકની એકદમ નજીકમાં સ્ટોક થાય નહિ.
૨. (૧) રાજ્ય સરકારે અથવા લાઈસન્સ સત્તાધિકારીઓ આ અર્થે ખાસ માફી આપી હોય તે સિવાય, લાઈસન્સ ધરાવનારે પરિચ્છેદ ૭માં જણાવેલી તમામ આવશ્યક ચીજવસ્તુના લેવડદેવડ અથવા સોદાને લગતા દૈનિક હિસાબોનું રજીસ્ટર રાખવાનું રહેશે અને તેમાં નીચેની વિગતો ખરી દર્શાવવાની રહેશે.
 - (ક) દરેક દિવસનો શરૂઆતનો સ્ટોક (ઉઘડતો જથ્થો).
 - (ખ) ખરીદી કરીને મેળવેલો અથવા અન્ય રીતે દરેક દિવસે મેળવેલો જથ્થો અને તે ક્યા સ્થળેથી અને ક્યાંથી મળ્યો તે દર્શાવવું.
 - (ગ) દરેક દિવસે વેચાણથી પહોંચાડેલી અથવા અન્ય રીતે ખસેડેલ જથ્થો અને તે મોકલવાના નિયત સ્થળો અને
 - (ઘ) દરેક દિવસે બાકી રહેલો સ્ટોક. (બંધ જથ્થો).
૩. લાઈસન્સ ધરાવનાર, ગુજરાત આવશ્યક ચીજવસ્તુ (લાઈસન્સ, નિયંત્રણ અને સ્ટોક જાહેરાત) હુકમ, ૧૯૮૧ની જોગવાઈઓનું અથવા આવશ્યક ચીજવસ્તુ અધિનિયમ, ૧૯૫૫ (સન ૧૯૫૫ના ૧૦માં) હેઠળ બહાર પાડેલા આવશ્યક ચીજવસ્તુઓને લગતા સંબંધકર્તા હુકમોનું પાલન કરવાનું રહેશે.
૪. લાઈસન્સ ધરાવનારે—
 - (૧) બજારમાં આવશ્યક ચીજવસ્તુઓનો પુરવઠો જળવાઈ રહે અને સહેલાઈથી મળતો રહે તેમાં બાધ આવે તે રીતે સફો કરીને કોઈ આવશ્યક ચીજવસ્તુઓની ખરીદી, વેચાણ, અથવા વેચાણ માટે તે સ્ટોર કરવાને લગતો કોઈ સોદો કરવો નહિ.
 - (૨) સામાન્ય રીતે વેચાણ માટે રાખવામાં આવતી આવશ્યક ચીજવસ્તુઓના પુરવઠાનું વેચાણ બંધ કરવું નહિ અથવા
 - (૩) આવશ્યક ચીજવસ્તુઓના પોતે કરેલા વેચાણના સંબંધમાં, શરત-દને આધીન રહીને, નીચેના કરતાં વધુ નફાનો ગાળો લેવો નહિ.
 - (ક) પેટા પરિચ્છેદ (ખ) હેઠળ નક્કી કરેલા કોઈ ગાળાને આધીન રહીને, યથાપ્રસંગ, લાઈસન્સ સત્તાધિકારી અથવા રાજ્ય સરકાર સાથે વિચાર વિનિમય કરીને જે તે લત્તા માટે, યથાપ્રસંગ, વેપારીઓ અથવા ઉત્પાદકોના પ્રતિનિધિમંડળે નક્કી કરેલા ગાળાનો કોઈ અધિકતમ દર, અથવા
 - (ખ) રાજ્ય સરકારે નક્કી કરેલા ગાળાનો કોઈ દર,
૫. લાઈસન્સ ધરાવનારે, જ્યાં તે પોતાનો ધંધો કરતો હોય તે જગાના પ્રવેશદ્વારે અથવા તેના સહેલાઈથી દેખાઈ આવે તેવા અન્ય કોઈ ભાગમાં પોતાનું નામ, વેચાણ માટે તેણે ધરાવેલી આવશ્યક ચીજવસ્તુઓના ભાવની યાદી આવશ્યક ચીજવસ્તુઓના સ્ટોકની પ્રાપ્યતા કે અપ્રાપ્યતા દર્શાવતું બોર્ડ ગુજરાતી ભાષામાં સુવાચ્ય રીતે લખીને દરરોજ પ્રદર્શિત કરવું જોઈશે.
૬. લાઈસન્સ ધરાવનારે, તે સમયે અમલમાં હોય તેવા કોઈપણ કાયદા હેઠળ કોઈ કિંમત નિયત કરેલી હોય, તો તે અથવા તેવી રીતે પ્રદર્શિત કરેલ કિંમત કરતાં વધુ કિંમતે આંવશાયક ચીજવસ્તુઓ વેચવી નહિ અથવા વેચવાની દરખાસ્ત કરવી નહિ.
૭. રાજ્ય સરકારે અથવા આ અર્થે લાઈસન્સ સત્તાધિકારીઓ ખાસ માફી હોય તે સિવાય, લાઈસન્સ ધરાવનારે, દરેક ગ્રાહકને, પોતાનું નામ, સરનામું અને લાઈસન્સ નંબર, ખરીદનારનું નામ, સરનામું અને તેનો લાઈસન્સ નંબર (હોય તો તે) સોદાની તારીખ, વેચેલી આવશ્યક ચીજવસ્તુઓનો જથ્થો અને કઈ કિંમતે વેચી તે અને લીધેલી કુલ રકમ જણાવતી, યથાપ્રસંગ, ખરી પહોંચ, અથવા ઈનવોઈસ આપવાનું રહેશે. અને લાઈસન્સ સત્તાધિકારી અથવા આ અર્થે તેણે અધિકૃત કરેલા કોઈ અધિકારી જોવા માગે, ત્યારે તે ઉપલબ્ધ બને તે માટે તેની બીજી નકલ રાખવાની રહેશે.

૮. પરંતુ ૧૫ રૂા કરતાં વધુ ન હોય તેટલી કિંમતના છુટક વેચાણ અંગે, આવી કોઈ રસીદ અથવા ઈનવોઈસ, ગ્રાહકે માંગણી કરી ન હોય, તો આપવાનું જરૂરી રહેશે નહિ, પરંતુ વેચાણની તારીખ, તેવી રીતે વેચેલો આવશ્યક ચીજવસ્તુઓનો જથ્થો અને લીધેલી કિંમત દર્શાવતો આવા વેચાણનો ખરો અને ભુલચુક વગરનો હિસાબ રાખવાનો રહેશે.
૯. લાઈસન્સ ધરાવનારે, લાઈસન્સ સત્તાધિકારીને અથવા હુકમથી કલમ-૨૬ હેઠળ નિર્દિષ્ટ કરેલા કોઈ અધિકારીને અથવા લાઈસન્સ સત્તાધિકારીએ અથવા રાજ્ય સરકારે અધિકૃત કરેલા કોઈ અધિકારીને આવશ્યક ચીજવસ્તુઓ સ્ટોર કરવા, તેના વેચાણ કે ખરીદી માટે પોતે ઉપયોગમાં લીધેલી દુકાનમાં, ગોદામમાં અથવા સ્થળે પોતાનો સ્ટોક અને હિસાબો તપાસવા માટે અને તપાસ માટે આવશ્યક ચીજવસ્તુઓના નમુના લેવા માટે તમામ વ્યાજબી સમયે તમામ સગવડો આપવી જોઈશે.
૧૦. લાઈસન્સ ધરાવનારે આવશ્યક ચીજવસ્તુઓની ખરીદી, વેચાણ અને સ્ટોર કરવાના સંબંધમાં શરતો ૧, ૨, ૭ અને ૮ મુજબ પાલન કરવાનું રહેશે. તથા તેના સંદર્ભમાં જણાવેલ રજીસ્ટર, પત્રકો તથા ઈનવોઈસમાં લખવાના ભાષાસંબંધમાં અને રજીસ્ટરની જાણવણીના સંબંધમાં રાજ્ય સરકારના આદેશોનું પાલન કરવાનું રહેશે.
૧૧. લાઈસન્સ ધરાવનારે નિયમિત બજારમાં કામકાજ કરવાના હોય તે બાબતમાં, પોતાના ધંધાના સંબંધમાં હકુમત ધરાવનાર માર્કેટીંગ સત્તાધિકારી અને બીજી કોઈ બાબતમાં રાજ્ય સરકાર આ અર્થે માન્ય કરે તે મંડળ આપે તેવી સુચનાઓનું પાલન કરવું જોઈશે.
૧૨. લાઈસન્સ ધરાવનાર નિર્દિષ્ટ કરેલા હોય તે સિવાયના અન્ય સ્થળોએ આવશ્યક ચીજવસ્તુઓ સ્ટોર કરવા માગે તો તેણે લાઈસન્સ સત્તાધિકારીને એવા કોઈ ગોદામનો ખરેખર કબજો લીધાની જાણ, તેના ખરેખર કબજો લીધાના ૩૬ કલાકમાં કરવી જોઈશે અને એવી જાણની બીજી નકલ પોતાની પાસે સાચવી રાખવાની રહેશે.
૧૩. આ લાઈસન્સ તાજું કરવા માટે જે તે સમયેની કોઈ અરજી સાથે જોડવાનું રહેશે.
૧૪. આ લાઈસન્સ ૩૧ મી ડીસેમ્બર,.....સુધી કાયદેસર રહેશે.

સ્થળ :-

(લાઈસન્સ સત્તાધિકારી)

તારીખ :-

ફોર્મ-“ક”

(જુઓ ખંડ-૧૭)

લાયસન્સ ધરાવનારે સંબંધિત લાયસન્સ સત્તાધિકારીને આપવાનું પત્રક

- (૧) લાયસન્સ ધરાવનારનું પુરૂ નામ :- અટક નામ પિતા/પતિનું નામ
- (૨) લાયસન્સ નંબર :-
- (૩) જે તારીખે પખવાડિયા માટેનું પત્રક પુરૂ થતું હોય તે તારીખ :-
- (૪)

અ. નં.	આવશ્યક ચીજ વસ્તુઓના નામ	શરૂઆતનો સ્ટોક	પખવાડિયા દરમ્યાન મેળવેલ સ્ટોક			કુલ સ્ટોક	પખવાડિયા દરમ્યાન સ્ટોક નિકાલની વિગતો				કુલ નિકાલ ૮+૧૧	સિલક ૭-૧૨	રીમાર્ક્સ
			ઉત્પાદન પ્રક્રિયાથી	ખરીદી કે અન્ય રીતે	કુલ ૪+૫નો સરવાળો		પ્રક્રિયાથી	ગુજરાત રાજ્યની અંદર	ગુજરાત રાજ્યની બહાર	કુલ ૮+૧૦			
૧	૨	૩	૪	૫	૬	૭	૮	૯	૧૦	૧૧	૧૨	૧૩	૧૪
(૧)													
(૨)													
(૩)													
(૪)													
(૫)													

તારીખ :-

સ્થળ :-

વેપારીની સહી :-

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

મુકેશ મોદી

સરકારના નાયબ સચિવ.