

GUJARAT ESSENTIAL ARTICLE (LICENSING CONTROL & STOCK DECLARATION) ORDER 1981

For office use only 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 1999.) For office use only 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.) Y — 1727 AT THE GOVERNMENT PREFACE THE Central Government has issued various Orders from time to time under section 3 of the Essential Commodities Act. 10.55 At the same time various Control Orders are issued by the State section 13 of the Essential Commodities Act. | The two major Control Orders issued by the State Government are the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order I Essential Articles Dealers (Regulation) Order 11977, 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. 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. It 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 H. B. Varia Director of Civil Supplies & Additional Secretary, Food, Civil Supplies and Consumer Affairs Department, Sachivalaya, Gandhinagar Bharat Barot Minister of State Food, Civil Supplies and Consumer Affairs. (Independent Charge) Government of Gujarat. Sachivalaya, Gandhinagar

21 THE GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK-DECLARATION) ORDER, 1981, Y-1727-6 23 FOOD AND CIVIL SUPPLIES DEPARTMENT Order Sachivalaya, Gandhinagar, 20th April. 1981. (Amended upto 30-9-1999) ESSENTIAL COMMODITIES ACT, 1955. No. 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. 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. C.J.S.R., 168, dated the 13th March, 1973 and Ministry of Agriculture (Department of Food) G. S.R. No. dated the 9th June. 1978 and with the prior concurrence of the Central Government, the Government of Gujarat hereby makes the following Order, namely:- I, 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 15 in so far as it relates to the requirement permit and paragraph (i) to (iii) of sub-clause (7) and sub-clause (8) of the said clause 15 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) or the said clause 18 shall come into force 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 hall, and educational institution with hostels, a hospital or a religious or charitable institution, and (b) in relation to essential articles other than those referred to in paragraph 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 its 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) means a firm, an association of persons a company, a corporation or a cooperative society engaged in the business of purchase, sale storage or sale of any essential article, whether or not in conjunction with any allied 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 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 (9) 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 Note:- Vide Order No. GTH-81-40-ECA-1281-6109-m dated 18-5-1981 issued under paragraph (c) of sub. clause (13) of clause 2, as amended vide Order GTU-9S-20-ECA-109S-363-B, dated 14-5-1998, the Government has appointed the following officers as Licensing Authority, except for clauses 4, 6, 7 and 17. No. 1. 2. 3. District Supply Officer Supply Mamlatdar, Gandhinagar, Joint Director in the Office of the Director of Civil Supplies Deputy Director in the Office of the Director of Civil Supplies in his jurisdiction in Gujarat State (14) "Oil company" means any company dealing in any of the petroleum products and includes the Indian Oil Corporation Ltd Indo-Bunna Petroleum Company Limited (IBP), Indian Petroleum Corporation Ltd., (HIOC,) 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 -officers appointed by it as a permit officer in addition to the permit officer specified in paragraph 1, (b) or 25 (17) "Producer" means a person carrying on the business of milling, expelling, extracting refining or manufacturing of essential article - (i) by buying goods for being processed by himself and selling the finished products to a wholesaler or through a commission agent, (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 hawkers 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, labia, rajmaha, gram including peas 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) means any form of sugar, containing more than 90 per cent of sucrose but does not include khandsari and includes free sale sugar and levy sugar; (25) 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 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, pulses, khandasari and sugar if the stock of such essential article in his possession at any time exceeds the quantities specified, against it in the table below; and (b) (*) petroleum products. except under and in accordance with the terms and conditions of licence granted under this Order. See Essential Articles TABLE 1. 1 Edible oilseeds including groundnut in shell Edible oils including hydrogenated vegetable oils (a) any one edible oil (b) all edible oils taken together Food grains- (a) any one food grain ₹ 50 5 Stock limit quintals of edible oilseeds quintals quintals words "Cements or No. GTU-SS-O-CMT-10S.758-BÄ1atEd 15-12-1988 Y-1727-7 No. 4, 5- Essential Articles (b) all foodgrains taken together. Pulses. Khandasari and Sugar 26 Stock limit 150 quintals, 25 quintals for all pulses taken together. 25 quintals. (2) On and after the 20th day of April, 1981 no person shall carry on business as a producer of any essential article except under and in accordance with the Terms and conditions of licence granted under this Order (3) Notwithstanding the repeal of the Gujarat Sugar and Khandasari 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 13 1 st 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 as the case may be. the date of application of sub-clause (1) or 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-109-657-13t dated 30-4-1999 issued under sub-clause (1) of clause 27, (the Government has exempted "Huller" Cone type of small rice mill) from obtaining licence under clause 3

4. Issue of) Every application for issue re-issue of a licence or renewal thereof shall be made to the licensing authority in Form (2) Every licence shall be issued, re-issued or renewed in Form Every Licence issued under this shall be non-transferable- S. 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 that an application for renewal of licence made before the end of February immediately following the date of expiry of the licence, may for sufficient reasons 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 licence 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 Declaration) Order, 1981 relating to the renewal of licence shall not be applicable in the case of a non-renewable licence." (2) When an application for renewal of a licence made either within the period of validity of the licence under sub-clause (1) or the end of February under the second proviso to sub-clause (1) the licence holder shall be deemed to be duly licensed till the date at which the licensing authority either renews or refuses to renew the licence. *Substituted Order No. GTH-81-25-ECA.1781-206i-B, 30th 27 When 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 be chargeable in respect of each licence as shown in Table-A and Table-B hereunder,- For issue of licence TABLE-A. (For licence granted for five years, and renewable) (i) For renewal of a licence- (iii) For issue of a duplicate licence. Producer I (100 500 200 Wholesaler or commission Agent. 250 100 TABLE-B. (For non-renewable licence) (ii) For issue of licence For issue duplicate licence. Producer 5000 200 or commission Agent. -3000 Retailer 200 70

Retailer 70 Ylawker 100 51) 15 lawker 500 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 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' carving 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 Khandasari Dealers Licensing Order 1963, authorising him to purchase, sell or store for sale sugar and Khandasari 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 him to purchase, sell or store for sale or manufacture of any edible oil or to mill any pulses. (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), (c), (d) and (e) no fee shall be chargeable for a licence issued to him under this order to carry on the said 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, Deposit of Security.- (1) 'Every person applying for 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 - (iii) (iv) an amount of 15,000/- (Rupees Fifteen thousand only) an amount of Rs. 6,000/- (Rupees Six thousand only) an amount of Rs. 2,500/- (Rupees Two thousand five hundred only) an amount of Rs. 500/- (Rupees Five Hundred only) if such person is a producer or manufacturer, if such person is a wholesaler or as the case maybe commission agent, if such person is a retailer and 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 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/8 IJ2SÄT)C.N' 1781120651B, dL 30th June 1981 • Substituted t -1-1999. 29 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, IO. '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 as 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 Collector To the Director of Civil Supplies where the Licensing authority which made the Order is 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. GTW90i26/ECA/1098/363/Bt dated the 28th July, 1998. Y-1727-8 30 (2) Pending disposal of the revision proceedings under this clause the State Government may direct (i) 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 13. Reasons not to be disclosed in Public Interests-Nothing in the foregoing provisions shall be deemed to require the licensing authority 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 a licence cancelling or suspending licence granted under this order if it is satisfied that it would not be in the public interest so to do

14. Expiry or cancellation Of' licence not 10 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 suffered thereunder. (h) any right, privilege, obligation or liability acquired, accrued or incurred under licence so expired, cancelled, terminated, or affected any penalty, forfeiture or punishment incurred in respect of any offence committed under the licence so expired, cancelled or terminated. (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 enforced and any such penalty, forfeiture or punishment may be imposed in the period the licensee held and expired the licence had not been cancelled as the case the licence held not been terminated, IS. Restriction on Possession of essential articles,- (1) No person 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 or 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 producer shall display at conspicuous place of his business premises, the daily opening stock of essential articles, wholesale or as the case 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 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 the State Government or manufacturer or distributor, the retail price so displayed shall not exceed the retail price so fixed, Note I Vide No. GTH/90/1 YEC.*VI 181/5.37/Patt.1/B, 6-4-1999 issued under (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, CiTW99/14/ECA/11811537/Part-1/B. 6-4-1999 issued of clause the Government has exempted every producer from the operation of the provisions of clause 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 evening of the 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 GTII/99/15/ECA/1 vS 1/537/Part-L/B, dated 6-4-1999 issued under (1) of clause 27, the Government has exempted 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/11 S I dated 20-4-1999 under sub-clause (2) of 17, The Government has directed that instead of the interval stated in sub-clause 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. (h) 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 under paragraph (h) 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 the State Government or the Director of Civil Supplies or the Director of Food of 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 I in form 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 observe the following general conditions (1) Every person holding in stock or engaged in the production or in the business of buying or selling 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 specified part of his stock of essential articles shall be determined by the State Government in accordance with the provision of sub-section (3-13) 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 where such distribution is regulated by permit under this clause 18 the dealer or producer shall not sell the essential article 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 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 as the case may be, from the dealer shall deliver or offer to deliver stock of such essential article so obtained or as the case may be received at any place other than the place of business of the dealer and so such transport operator shall dispose or distribute such essential article. Note :- Vide order No. GTH/99/26/PRC/1097/1610/13, 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 may be, 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 may be, 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 transporter under paragraph (i) shall, where the stock of the essential article is in his possession, 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 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 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 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 (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 him by the permit officer of where the provisions requiring such permit is in operation except in accordance with the distribution system introduced in pursuance of the directions under clause 24 25, (7) (i) Any person desiring to obtain a permit for purchase of any essential article for use application, in duplicate in



Form 41)' To the pennil officer. On receipt of an application under paragraph the permit officer may issue ill for the Quantity Approved for such supplies. Every such permit shall be t. {he in the permit. (iii) Where the provisions requiring permit are in operation no licence holder shall self essential article to any person in accordance with the terms and condilicns or a permi(issued to such person- (i v) Where the provisims for requiring permit are not in apetalion or no direction is issued under clausa 24, the licence holder shall sell an essential article in accordance with the terms'and condition' of his (v) IVhere any direction is issued under clause 24, tvo dealer or as the ease may be, producer any essential article any person except in accordance with such direction. IVI'ere the provisions requiring pernait are not in operation or no direction is issued clause 25. a person other than a licence holderor as the case may be, a person speckally exempted by general or spccial order issued under clause 28 may acquire any essential article in accordance •with the other pro•, isions of this order (8) (i) The permit officer al any time alter giving the permil holder .ao opportunity revoke the permit issued to him for aay of the following reasons, namely; (a) that the permit has been obtained by lthe permit holder by mis-representation of paniculars, 33 (b) that any provisions of this Order or term or condition of a permit has been conuavened by the permit holder. (ii) A copy of the order revoking the permit shall be sent to the permil holder forthwith. (iii) On receipt of the copy of the order under paragraph (ii), 1.110 pennit holder shall forthwith surrender the permit ta the permit officer, (9) Where 110 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.t the licence halder shall not charge in respect of sale of such essential article made by him a 'margin of profit in excess af - (a) subject to any margin fixed under paragraph any maximum rate ofmargin fixed by a representative body of dealers or, as the case may be, of producers for the locality in consultation with licencing authority, as the case may be, the State Government', or (b) any rate of margin lined by the State Govemnuenl

19. Restriction On sale, etc.by producer.-No producer Shal] sell, offer for sale, dispose of, deliver, as the case may' he, distribute lthe stock of any essential article allotted to the Stale Government by the Government of India or an authority authorised by the Government of India, as lthe case may except unclerf and in accordance with the sub-allocation given by the State Govemntent, the Director of Civil Supplies or, as the casc tmay an officer ii1Jthorised by the State Government in this behalf: Provided that in case of producer ot-petroleum and petroleum products nothing in this clause shall apply to any stock transtén-ed by an Oil Company to anolher oil company

20. Restrictions on use or disposal of essential articles.- No essential article specified in Schedule-ll acquil?d by a person other than a dealcr or p10ducer or, as the case may be, a person specially exempted by general or special order, whether under a permit 01 hcnvise shall be used for a purpose other than that which such essential article hits been acquired nov shall it be disposed ot- in any other manner. Provided that where lthe essential article so acquired is to be used for a purpose other than that for which it has been acquired is required to be disposed cf in any manner, the person who has acquired the essential article shall intimate the Collectoror the Food and Civil Supplies Controller, Ahmadabad City, or the licensing authority the concerned permit officer, as the case may be, in vv.•ritingy his proposed change of purpose and lhercofand shall not so dispose on except after obtaining prior pet-mission from the Collector or the Food and Civil Supplies Controlle.v, Ahmedabad City or the Licensing Auth01lâty or the permit officer, as the case may be

21. Power to direct disposal of stock.- Where any person holding any stock af any essential article does nol wish to a licence after the commencement of this Order or here any licence holder holding any stock Of essential article does not with to renew a licence or where his applica%ion for issue ofa licence nor renewal thereof has been refused or, as the casc may be, his licence is suspended the licensing authority may direct such persons ot' the licence holder to dispose of his stock of essenti@l anicles by. sale Lo such other person or persons or class of pet-sons by suc.h date as may be specified 'in the direction and the person or, as 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 scll ar deliver ordispose of or offer to sell deliver or dispose or any essential anicle at a price higher than the fixed by the Government af India, 'the State Government, the Collector 01' a district as the case may be, "Lhe Food and Civil Supplies Controller, Ahmedabad City, in pursuance oi powers conferred by any law for the lime being in Tar-ce or fixed 'by Lhe producer and vehere no price is

so fixed the price higher than that displayed by him in accordance with clause 16- 23. Maintenance of register of accounts by dealer or Every dealer or producer shall maintain a register of daily stock of essential articles 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 Y-1727S 34 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-• (I) 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 special order, issue 'Lo 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, weighing, disposal, delivery or distribution of any essential article as it 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 or class of persons (other than dealer or producer) such directions regarding (i) implementation of distribution system referred to in clause 18, (it) 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 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 satisfy 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 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 or 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 35 any place. (Vij 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. To remove or dispose of in any manner such stock of essential articles and the package, covering -c-jr 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 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 or sale or storage, for sale of essential articles by 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

Sitving The Gujarat Sugar and Khandsari Dealers Licensing Order, 1963, the Gujarat Sugar (Declaration of Stcwk) Order, "1966, the Gujarat Fcrjdgrains Dealers Licensing Order, 1972, the Gujarat Pulses, Edible Oilseeds and Edible Oils Dealers Licensing Order, 1977, the Gujarat Focxlgrains (Declaration 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 unde 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, accnded 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 præceding or remedy in respectofany 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 provisos an order specified in Schedule-III made under the Order so repealed shall, in so 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. 37 SCH ED [See clause Food Stuffs (2) Paddy (3) Rice (1) Tur (9) B. (2) (3) (4) (5) (6) (7) (9) Pulses including dal whether whole or split with or without husk. Moong Arhar * * Gram Urad (C) 'Edible Oilseeds (I) Groundnut shelled or unshelled (2) Til (3) Mustard , (4) Rapctseecl (5) Soyabeen (6) Impoltd edible oilseds *Deleied vide Order No. GTH/86'29/ECA/10WG01f120/U, dated 27-10-1036. vide order No. 14-8-1995. vide Order No. GTI-I/C)7/3/F.C.4/108ffG01/120/B- dated 220-1991 Order No. C,TW99/27/1'RCn097/1610/B; dated 7-5-1999. vide Order 7-5-1999. Y-1727-10 38 D. Oils (I) Groundnut oil (including (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) Soy-abeatl Oil (d) Sunflower Oil ot' (e) any other edible Oil containing any fifthe aforesaid Oils. E. Sugar-Khandsari PART-11 Other than Food stuff. (2) Petroleumproducts numely: (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) Liffht diesel Crude oil. (c) high speed diesel oil, (d) Petrol, (e)++ "Liquified Petroleum Gas other than the liquified petroleum gas sold under Parallel tvTarketing System as defined in the Notification of Government of India, Ministw of Petroleum and Natural Gus No. G.S.R. 5291E), dated 3-8-1993, or any Otlter petroleum product specified for the purpose of this order by the State Government by a notification in the official Gazette, Note Vlde Notification No. dated. 4-12-1995, as amended vide NOT GTW98/40/IY1'P/1195/2401/B, dated 14-12-1998. the Slate Government has specified "all solvents including Nlineral Turperntine Oil which are mixtures of petroleum hydrocarbons" as a petroleum product. (2) Vide Order No. GTH/9S/41/VfP/1 195/2401/13. dated 14-12-1998 issued under clause 24, State Government has given certain directions to the producers and dealers of an essential afiicle covered under (I) above. (The order is reproduced on page SC EDULE- 11 (See 20) Deleted, (2) Petroleum Products namely (a) Kerosene (b) light diesel oil (c) high speed diesel oil (d) petrol (e) liquified petroleum gas, otdet No, GTIV8V40CMTf10SSf75S/B€ dated 15-12-19S9w + Substituted vide Order 22-2-9.1. Substituted order dated 13th 1995. Specified order No. 24th ++ Substituted vide Order No. dated 20-7-94. 11. 2, 3. 4. 6. 9. 10, 12, 13. 16, 39 SCHEDULE - 111 (See second proviso to clause 29) Food and Civil Supplies Departments Order No. and dale. GTH,7S -12-ECA-

1277-8369-B daled 21-02-1978. CjT1+78-19-ECA-1277-8369-B 22-03-1978. GTH-78-37-ECA-1277-G01-172-B dated 18-05-1978. dated 14-06-1978 GTH-7g-26-ECA-1277-7869-B dated 24-04-1979, GTH-80-20-ECA-1179-4621-B dated 18-03-1980. GTH-80.22-ECA-12794331-B dated 21-03-198. GT11-80-25-ECA-1179-4621-B dated 05-04-198, GTH-80-47-ECA-1180-6419,,B dated 10-07-1980. GTH-80-59-ECA-1180-6419-B dated 07-08, 1980 CTTH-80-66-GAKHAN-1180-9295-B dated 07-11-1980. GTH-80G-CMT-1478-7706-B dated 11-12-1980, CiTH-81-37-ECA-1281-82-B dated 03-03-1981i dated 06-03-1981. GTH-81-9-ECA-1081-757-B dated 07-03-1981, *Deleted vide Order No GTH/S2/22/IISD/1281/2CP7iB, daled 24th Augustrl 982, * *Deleted vide Order No. CGTH/83i33/ECA/IOS3/122Jb dated 12th October, 1983_ L 2. 3- 4. 5. 6. 7. 8. 10. 11 12 _ 13. 14. 15. 41 FOR M L See clause 4 TILE GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL ANI) STOCK DECLARATION) ORDER, 1981. Application for grant/renewai ot' licence for essential articles (kind of essential articles to be shown) Applicantts name and age. Appl icant*s residence. Applicant's profession Calegciry of licence required whether as retailer/hawkex/wholesaler/commission agent/Pvoclucer. (Strike Oput which is not appl icable), Nume in which licence is requircelv Name and address of persons saving interest ill the firm* (in capacity of partners) for which licence has been applied for. Whether the applicant is connected in any way with any olher firm/licence holder dealing in essential articles ? If so, in what capacity ? Situation of applicant's place of business with particulars as to No. of house, mohalla, town or village* Police station taluka and district, Full particulars of godowns where the essential articles Lo he/will be stored, Whether the applicant is a commission agent, distributor, Wholesaler, retailer, howker, Producer or any other kind of delcr. Type of business being cartied out at present. How long has the applicant been trading in any of the essential ajticles? Did Lhe applicant at any time hold a licence under any of the repealed orders? (Tfso, give paniculars thereof including its suspension or cancellation, if Quantities of each essential articles handled annually during the last three years. Quantities of any essential articles or all such essential articles likely to bc handled during the current year. vide Order No. dated 2-7-87. Y-1727-11 ill 16. 17. 19. 20. 42 Income tax paid in the two years preceding the year of application (To bc indicated separately), Central/Local Sales Lax paid in the two years preceding the year of application (To be indicated separately» 1. Quantity of essential articles or all of such essential articles in the possession of ttle applicant on the date of application (separate figures are to be 'liven for each essential article). Whether lhc applicant desires to carry on business as a commission agent or wholesaler or retailer or hawker or producer. I-las Ille applicant been convicted in the court for any offence relating lo essential articles ? if so, brief details thereof- I declare that the quantities specified above are in any possession on this day and ure hcll at the places noted above. I have carefully read the conditions Of the licence in Form appended to the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 and I agree to abide by them. I have not previously applied for such licences in this district any of essential articles. T applied for such licence in this district for and was/was not granted a licence On *(c) T hereby apply for renewal of licence No for period of five years. *(d) I hereby apply for the reissue of licence dated - issued lo me on I declare that the particulars given above are correct to 'the best of my knowledge and belief. Place Daled Strike not Signature of Applicant. 43 *FOR clause THE GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DEC- LARATION) ORDER, 1981. Licence tor purchase/salo/storage for sale of cssential articlesi namely Licence No, mission agent/Producer. in the capacity af *rtailed/hawker/wholesalel'/Com- 'Non-Transferable' PART-I L subject to the provisions of the Gujarat Essential ArLlcles (Licensing. Control and Stock is/are Declaration) ORder, 1981 and lo lhc terms and conditions of Lhis licence hereby authorised to carry on business of the under mentioned essential articles as 'retai ler/hawker/ wholesaler/commission AgenL/Producer,, Name of Essential .Articles 2, (a) The dealer/producer shall carry on the aforesaid busines at the following place : (b) Essential articles in which the aforesaid business as dealer/producer is lo be canied out shall not be stored at any plcac other than any of the godowns/storage places mentioned blow Note Ifthe 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 house of actual occupation thercof to the licensing authority and shall preserve duplicate copy of such intimation with him. Every licence 'holder shall take adequate measures to ensure that essential articleswstored 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

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Closing balance (3) (4) (6) Remarks, if any, Date Signature of the dealer 47 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- 49 4. MAJOR ORDERS MADE UNDER THE PROVISIONS OF THE AFORESAID ORDER (LICENSING ORDER-1981) Y-1727-13 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 (e) 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 and 17 Of the above order in relation to the area specified against him in column 3 of the said schedule, 1 4. SCHEDULE Officer 2 District Supply Officer Supply Mamlatdar, Gandhinagar Joint Director in 'the Office of the Director Of Civil Supplies Deputy Director in the office of the Director of Civil Supplies Area 3 Within his jurisdiction Within his jurisdiction Gujarat State Gujarat State] By order and in the name of the Governor of Gujarat. R. K. SOLANKI, Under Secretary to Government. *Inserted vide ECS & Order No. No. GTH-9S.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-S2-2-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. 52 SCHEDULE 1 Officer 2 Food and Civil Supplies Controller. Ahmedabad City. (i) (ii) Area The area of the City taluka of Ahmedabad District, The area within the jurisdiction of the Commissioner or 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. GTII-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 9th June, 1978, the Government hereby makes the following Order further to amend the Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981, namely . 2. (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, In the Gujarat Essential Articles (Licensing Control and Stock Declaration) Order, 1981, after sub-clause (h) and before sub-clause (l) (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 Deputy Director of Civil Supplies." 1 By order and in the name of the Governor of Gujarat, ARVIND AGARWAL Joint Secretary' to Government. 53 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, I HEREBY, in exercise 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 S. 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, In Pursuance of sub-clause (1) of section 27 of the Gujarat Articles (Licensing, Control and Stock Declaration) Order, 1981, (hereinafter referred as the "said Order") 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 No. GTH-99-13-ECA-1181-531-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 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* 1999m GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER 1981. No. GTH-99-14-ECA-1181-537-PM-I-B.- Whereas, it is 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, R 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 9, (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 55 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. teee. %v.u 41 * , leee -tl RI g acumi (e) é'lä Al 56 'FOOD AND CIVIL SUPPLIES DEPARTMENT Order Sachivalay*d, Gandhinagar, 27th November 1989. GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER No. exercise of the powers conferred by sub-clause of clause 24 of the Essential Articles (Licensing, Control and Stock Declaration) Order, "the Government of Gujarat hereby directs that with effect on and from 28th November, 1989 11) (2) a producer holding licence in respect of edible oils may sell the commodity to retailer or a consumer besides a wholesaler or a commission agent; wholesaler holding 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 wholesaler may sell the stock of edible oils in respect of which he holds licence- Purchased by him in his capacity as broker, commission agent or any other agent having authority sell his principal, or imported by him from outside the State, or purchased by him from any producer, to another wholesaler: Provided 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, e, retailer or bulk consumer. *Provided that the wholesaler to whom the stock of edible oils is sold in accordance with the -second sell the same to any person except a retailer or bulk consumer.} Provided also that the wholesaler to whom the stock of edible oils is sold in accordance with the first proviso shall 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 producer, wholesaler or retailer in such commodity. By order and in the name of the Governor of Gujarat, ARUN Deputy Secretary to Government, F. cs.Dm order by F. D. CSO. FOOD AND CIVIL SUPPLIES DEPARTMENT Order Sachivalaya,

Gandhinagar, 23rd May, 1995. GUJARAT ESSENTIAL ARTICLES (LICENSING CONTROL AND STOCK DEC' ORDER Nv, GTI 1-95-2SECA-il 95-981-BAn exercise of the powers ccurerred by sub-clause (l) die Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981. lhc C 24 of -57 hereby amended 'lhc Government Order, Food and Civil Supplies Department No. GTH-89-73-ECA- 1088-152341, 27th namely 11) In lhc said order after the second proviso to paragraph (2) Lhc fallowing proviso shall be inserted, namely : •Provided the whalesalel" to whom lhc stock of edibles oils is sold in cccordance with the puiviso shall nol sell thc to any person except a wholesaler, retailer or bulk consulner" (2) In the said order, in the last proviso to paragraph (2), for the word "second" the words "third" shall bc substituted. By order ancl in the name of the Governor Guinat, B. R. PATNI, Under Secretary to Governrttent- FOOD AND CIVIL SUPPLIES DEPARTMENT Order Sachivalayar Gandhinagar, 21st April, '1992, GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK 'DECLARATION) ORDER 1981. No. the by sub-clause (l) 24 af the Gujarat Essential Articles (Licensing, Contral and Stock Declaration) Order, 1981, the Govern:nell?. of Gujarat _hercby issues the following directions to licence holders dealing in the business of edible oils as retailer, whoicsaler, commission agent end producer, namely (l) Every such licence. holder shall separate accounts ancl separate stock registers in respect or such edible oil and each brand edible oil. (2) Every such licence 'holder, while issuing in relation to any transacti0Tl caitted out by him a receipt, rttemo 01', as the case may be an invoice (as requilZd by paragraph Y of Lhc licence in Form-B to the said Order), shall also specify therein thc. brand or 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 avail•ahility thereof (as) required by paragraph-7 of the 'ticenc.e Form-B lo lhc said Order L shall also specify separate stack of brandwise edible oils. (4) It shall come into torce with effect on and frotn 1st May, 1992 By order and in the name of the Governor CiLljarat, 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, WI 727-15 No. GTH-9g-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 : (ij 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 (i) Edible oil seeds including groundnut in shell. (iii) Edible oils including hydrogenated vegetable -oils. t' Wholesaler Retailer 100 20 Remarks All edible oil seeds taken together All edible oils including hydrogenated vegetable oils. Provided •that where a dealer is also carrying on business as a producer or commission agent. hc shall be entitled to retain the stock limit spedified above for each such business, if such business and accounts lhereor are kept separate and distincts from one another, Provided further that no exporter shall be entitled lo hold slock of seeds/pods in the following proportion in addition -to the normal storage limits prescribed above, (2) (4) (5) (6) Particulars Sunflower extraction Groundnut extraction Soya extraction I-I, R S. Groundnut Kernels Sesame seed Mustardh•apeseed For every Export contract of 1000 1000 1000 1000 11000 1000 (Qty. in MET.) Strock exemption for raw material requirement (Seeds/Pods) 1670 1790 1210 2500 1250 1695 and extraction,, The above exemption will bc subject La thc production or lhc following documents. (i) Copy of the expen order or contract from the export buyerr (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 oilseedsor, as thc case may he, edible oils in excess of the quantity specified in the corresponding entry in column (l) OT 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 59 Quantity of edible oil seeds Qoantity of stock of edible oils including refined 1 (a) Producer who is carrying business on 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 the 31st day of July, 1998. (b) Producer who has com- menced production after lhc commnecement of this Order For 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, lJgth 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 max i mum 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. 2 (b) Producer who has commenced production the commencement of this Order For a period of one year from the date commencement of his production 1/24th 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 t-- For the purpose of computing the stock limit specified in column (3) (a) and (3) (b) above, 'the raw oils (except solvent) extracted oilst oils in process or in semi processed state and finished product shall be taken into consideration," Provoked also that where any quantity of edible oils or edible oilseeds is in transit, then for the purpose this sub-clause such quantity shall nots during the period when such quantity is in transit, be deemed to have been included iti stocks of the dealer in whom the property in such quantity is retained" during such transit in accordance with thg 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 olhet• person on his behalf in excess of the stocks prescribed in column (1) and (2) and such stock shall not be disposed or 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 Statutory Corporation-. or (b) A Central level or a State level Cooperative Society engaged in the production. procurement Y sale, purchase or distribution of edible oils. 60 Or *1 (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. F.C.S. C.A.D. No. FOOD AND CIVIL SUPPLIES DEPARTMENT Notification Sachivalaya, Gandhinagar, 4111 December, 1995. GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL ASD STOCK DECLARATION) ORDER, 1981. No. GT11-95-51-PTP-119S-2401.B.—In Pursuance -of item (2) in Pan-11 of Schedule-1 the Essential Articles (Licensing, Control and Stock Declaration) Order, 1981 , read with the Government of India, Ministry of Petroleum and Chemicals, Notification Gi S. R.- 396 deted the 18th November, 1974. the Government of Gujarat hereby specified *fall solvents including mineral turpentine oil which are mixtures petroleum hydrocaröonsl as a petroleum product for the purpcnes of tite said order. By order and in the name of the Governor of Gujarat, B. R. 'PATNI, Under SeerelEry to Governmenl. the of all including turpentine oil" vide F.C.S. & Notification dated 14-12-1Y9S. FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT Order Sachivtlaya, Gandhinagar, '14th December. 1998- GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL AND STOCK DECLARATION) ORDER, 1981. Na. C.iTH-9Ä-1 I-PCP- 1195-2401 -B.—In Pursuance ot-sub-clause (I) 24 of the Gujarat Essential Articles Control and Stock Declaration) Order, 1981. the Government of Gujaral hereby' directs 'that for an item specified in Food and Civil Supplies Department Notification No, GT11-95-54•PTP-1195- 240 1 -B, dated 4th December, amended froin time to time. (i) producer shall obtain a certificate from the Forensic Science Laboratory, Ahmedabad containing the ngtno and eharacterislics of the article; (2) A producer shall, together with his application for license in Form "Ai' of The Gujarav Essential Articles (Licensing, Control and Stock Declaration) Orders 1981 submit the certificate mentioned in (I} above: (3) "IIC licensing authority Shull enter the name of the article as mentioned in the certificate issued under (I) above and the number the cerlifiate illongwith Name of Essential Article in the license issued in 61 Form "B" of the The Gujarat Essential Articles (Licensing, Control and Stock Declaration) Order, 1981. (4) A producer shal I obtain ecrtificate mentioned in (I) above for each ofthe articles produced by hi and separate certificate shall be obtained for an article with different brand name or characteris!icss aulhonty alongwith the Name of Essential Article in the license issued to the dealer in Form 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. HALVA DIA, Under Secretary to Governtnetll. FOOD AND CIVIL SUPPLIES DEPARTMENT Order Sachivalaya, Gandhinagar, 5th July, 1996. GUJARAT ESSENTIAL ARTICLES (LICENSING, CONTROL STOCK DECLARATION) ORDER, 1981. Nv, GT11-96-9-ECA.1196-237.B—In exercise powers by sub-clause clause 24 of the Gujarat Essential Articles (Licensing, Control and Sroek Declaration) Order, 1981 , Che Government of Gujarat hereby directs that every licence holder shall stock

register in respect of petrol and diesel separately and shall certify and sign the accounts every 15 days. By order in the name of the Governor Gujarat, 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 ORDER. -No. GTII-9S-24-MIS-1095-3222-B.—in pursuance of clause 24 of the Gujarat Essential Articles (Licensing Control Stock Declaration) Order, 1981, the Government hereby directs that every licensee holder 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 be, the Food and Civil Supplies Controller, Ahmedabad- By order and in the name of the Governor of B. Z. HALVADIA, Under Secretary to Government. Y-1727-16 62 aeee. oee/dt co/q.— 41 dlelwl— 41lea ga (e) •lien (V) a-ui qi'lEtl VI

