

TRIPURA FOODSTUFF DEALERS' LICENSING ORDER 2010

GOVERNMENT OF TRIPURA DIRECTORATE OF FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS The Sub-Divisional Magistrate, Dharmanagar, Kailasahar, Kanchanpur, Udaipur, Santirbazar, Sabr00111, Belonia, Amarpur, Ambassa, Gandacharra, Kamalpur, Longtharaivally, Bishalghar, Teliamura: Khowai, Sonamura Sadar. The Officer in Charge, Agartala Rationing Authority. The Tripura Food Stuff Dealers, Licensing Order, 2010 - Notification thereof Gazette In inviting a reference to the Order of even number of 28/ 1/2010 of the Deputy Secretary, Food & Civil Supplies and Consumer Affairs Department, Government of Tripura on the above subject, I would enclose herewith a copy of Order vide No. 14 as published in the Gazette of Tripura 011 4/2/2010 for necessary to be noted. Maoist South Yours faithfully, Director Food & Civil Supplies & Consumer Affairs (Udaipur), North, (Udaipur), North (Kailasahar). Registered Not N. E

930. GAZETTE TRIPURA 11 Published by Authority EXTRAORDINARY ISSUE Agartala, Thursday, February 4, 2010 A.D., Magha 15, 1931 S. E. PART Orders and Notifications by the Government of Tripura, The High Court, Government Treasury etc. GOVERNMENT OF TRIPURA FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT NO. F.6-16 (1 ORDER Dated, Agartala, the 28th January, 2010. In exercise of the powers conferred under Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order(s) of Government of India, Ministry of Consumer Affairs, Food & Public Distribution (Department of vide Nos S.O.649 (E) dated 09.03.2009, G.S.R. 164 (E) dated 12/3/2009, S.O. 905 (E) dated 02/ 04/2000, S.O. 906 (C) dated 02/04/2009, the state Government G.S.R 640 (E) dated 07/09/2009 and S.O 2461 (E) dated 25/09/2009 do hereby make the following Order, namely: 1 2 SHORT TITLE EXTENT AND COMMENCEMENT (I) This order may be called the "Tripura Foodstuff Dealers' Licensing Order, 2010". (ii) This Order shall come into force from the date of its publication in Official Gazette. DEFINITIONS. In this Order unless the context otherwise requires, " State Government" means the Government of Tripura; (a) dealer" means a person, registered firm / society engaged in the business of purchase, sale or (b) storage for sale either in wholesale or in retail of any one or more of the foodstuff in any quantity whatsoever; means any one or more of the foodstuffs specified in 'Schedule-I' (c) "Foodstuffs" Order including products of such foodstuffs; It is to persons other than wholesale For the purpose of this sub- clause. the Retail Dealer shall be classified as "Retail Dealer -A" and Dealer — O according to the quantity of item stored at any point of time in his shop. *Torn outside the State and or sells the foodstuffs (53 retail dealer for the purpose of this order) and Director of Food, Civil Supplies & Consumer Affairs Government of the Agartala Rationing Authority within the period and any of the functions of the licensing authority W.

3. Tripura Gazette, Extraordinary Issue, February 4, 2010 A.D. LICENSING OF DEALERS AND RESTRICTION ON STORAGE: • No person shall carry on business as dealer except under and in accordance with the terms and conditions of a license issued in this behalf by the licensing authority. (2) For the purpose of this clause, any person who stores any foodstuff in excess of the quantities mentioned below, at any one time shall, unless the contrary is proved, be deemed to store the same for the purpose of sale: - "Sugar Rice Pulses Edible Oil seeds 50 Kilograms 300 Kilograms 50 Kilograms 50 Kilograms 30 Kilograms 100 Kilograms". For the purpose of this clause, any 'Retail dealer-A' as defined under sub clause (d) of Clause- 2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time :- "Sugar Pulses Edible oil Edible Oil seeds: - 200 Kilograms 1000 Kilograms 200 Kilograms 200 Kilograms 100 Kilograms 300 Kilograms". For the purpose of this clause, any Retail dealer-B' as defined under sub clause (d) of Clause- prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any Rice Edible Oil Edible Oil seeds: - this clause, any 1 000 Kilograms 3000 Kilograms 2000 Kilograms 2000 Kilograms 750 1500 'Wholesale as defined under sub-clause (e) of clause-2, 1000 quintals. 2000 'Tripura Gazette, Extraordinary Issue, February 4, 2010 A, D v) Edible Oil v) Edible Oilseeds 1000 quintals 1 000 5000 Provided that nothing in this order shall apply to the holding or keeping of stock of Foodstuffs on Government account, or by the recognized dealers nominated by the State Government or an officer authorized by it to hold stock for distribution through Fair Price Shops; or by the Food Corporation of India. A separate license shall be obtained by a dealer for each place of business. No storage of any

foodstuff is allowed other than place/ places as specifically mentioned in the license. Every application for a license or renewal thereof shall be made to the licensing authority in Form-A' of Schedule-II. Every license issued or renewed under this Order shall be in 'Form 'B' of Schedule-II. PERIOD OF LICENSE AND FEES CHARGEABLE: Every license issued under this Order shall be valid for a period ending the 31st December of the year in which it is issued and may be renewed for a period of one year at a time. For 'Retail dealer-A' specified below 11 be chargeable in respect of each license, and for the licensed dealer-B' specified below 11 be chargeable in respect of each license. After the license is issued, the fee for issue of duplicate license - Rs. 300/- iv. For filing an application for renewal after the licensed year, late fee for every month or part thereof is Rs 20/- (3) For the purpose of this clause, fees chargeable shall be deposited under the Head "Revenue Deposited through government treasury. 6 POWER TO REFUSE LICENSE: The Licensing Authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a license

7. DISPLAY OF STOCK AND SALE PRICE BY THE DEALER 8. All Dealers shall display prominently in some conspicuous place of their shops or show rooms, - (a) a list indicating the opening stock of each of the foodstuff available with them each day, and (b) a list containing the wholesale / retail selling price, as the case may be, each of the foodstuff sold by them. DEALER TO ISSUE CASH MEMO FOR EACH SALE. Each dealer shall issue a true and correct cash memo to the Retail dealer / purchaser against the sale of each item of foodstuffs indicating the price realized by the dealer. CONTRAVENTION OF CONDITIONS OF LICENSE : No holder of a license issued under this Order, shall contravene any of the terms or conditions of the license and if any such holder contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by order in writing of the licensing authority. Provided that no order shall be made under this clause unless the licensee has been given an opportunity of stating his case against the proposed cancellation or suspension or against any order of the licensing authority refusing to grant or renew or suspending a license under the provisions of this order may appeal to the Government. Supplies & Consumer Affairs Department, Government of Tripura. If the order of such him / her. Under this clause unless the aggrieved person has been given an opportunity of making an appeal, the Government may direct that the order refusing to renew, cancel or suspending a license shall not take effect. (1) Tripura Gazette, Extraordinary Issue, February 4, 2010 C) A. D. POWERS OF SEIZURE ETC:- The licensing authority or any other officer authorized by the State Government in this behalf, may with such assistance, if any, as he thinks fit; require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any license issued there under has been, is being, or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contraventions; enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of conditions of license issued there under, has been, is being or is about to be committed; be taken, extracts from or copies of any documents showing transactions relating to such contraventions which are produced before him, and remove stocks of foodstuffs and the animals, vehicles, vessels or other conveyances used in carrying the said foodstuffs in contravention of the provisions of the Order, or of the conditions of the licenses used there under and thereafter take or authorize the taking of all necessaries necessary for securing the production of stocks of foodstuffs the animals, vehicles, vessels or other conveyances, so seized in a court and for their safe custody pending such productions of Sections 102 and 103 of the Code of Criminal Procedure, 1973, relating to searches and seizure under this clause. Powers have been entrusted to the licensing authority and perform the duties specified in Tripura Gazette, Extraordinary Issue, February 4, 2010 A. D. Notwithstanding such rescind, anything done or any action taken under the Tripura Foodstuff Dealers' Licensing Order 1958 and Tripura Hydrogenated Vegetable Oils Dealers' Licensing Order) 1967 shall not affect. In so far as it is not inconsistent with the provisions of this Order, be deemed to have been done or taken under the corresponding provisions of this Order By order of the Governor, S. Debbarma Deputy Secretary, Government of Tripura. 6 Tripura Gazette, Extraordinary Issue, February' 4, 2010 A. D. SCHEDULE - 1 3 5. 6 Pulses 2. 4, Rice. Edible Oil [excluding H. V. Oil and Coconut Oil] Edible Oil seeds. SCHEDULE - FORM A [(See Clause 4 (i) 1 2 2 3 c, 8. The Tripura Foodstuffs Dealers' Licensing

Order, 2010. Application for license: Applicant's name Applicant's Father's name Applicant's profession Applicant's residence Situation of applicant's places of business with particulars as to number of house, mohalla, town or village, police station and district How long the applicant has been trading in foodstuffs .- Did the applicant hold a foodstuffs license on any previous occasions? (If so, give particulars including its suspension or cancellation, if any) Quantities of each foodstuff handled annually during the previous year (s). Quantities of foodstuffs likely to be handled. Professional Tax / Income tax, if any paid in the two years preceding the year of application (to be indicated separately). (11 roll) AMC, / No. of Areas ; (if yes, attached valid documents). Location of the applicant on the date of application and the places at which quantities are kept (separate figures are to be given for each foodstuff). that the quantities of foodstuffs specified above are in my possession this day and are held at) (I took them. the conditions of license given in Form 'B' appended to the Tripura Foodstuffs 20-i() and I agree to abide by them and hence in this district for or entered the license on on... Signature of the applicant and was/was not Tripura (e, Extraordinary Issue, February 4, FORM -B [See clause 4(ii)) 2010 A. D. The Tripura Foodstuffs Dealers' Licensing Order, 2010. License for purchase, sale/storage for sale of foodstuffs Category of license License No. Subject to the provisions of the Tripura Foodstuffs Dealers' Licensing Order, 2010, and to the terms and conditions of this license .., I am hereby authorized to purchase, sell or store for sale, the under mentioned foodstuffs. The licensee shall carry on the aforesaid business at the following place;- The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, maintain a register or daily accounts for each of the foodstuffs mentioned in paragraph 1, showing correctly ---- (a) the opening stock on each day (b) the quantities received 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 The licensee shall complete his accounts for each day on the day to which they relate, showing do down-wise stock, unless prevented by reasonable cause the burden of proving which, shall be upon him. A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account if such stocks are stored in his business premises. 2

3. Duties to be complied with by the State Government or by an Officer authorized by the Government in this behalf, submit to the concerned licensing authority a true and correct return, in 'C' of the stocks, receipts and deliveries of each of the foodstuffs for every month (1st to last 5. The return to reach him within 7 (seven) days of the succeeding month after the ending of the month except when exempted by the State, issue to every customer & correct receipt or invoice, as the case may be, giving vendor number, the name of the business and license number (ii) any of the customer, the date of receipt. and the quantity sold, the price per and the total amount charged and shall keep a duplicate of the licensing authority or any officer authorized by him in for inspection on or before 8 1 a Gazette, Extraordinary Issue, February 4, 2010 A. D. shall give all facilities at all reasonable times to the licensing authority or any officer The licensee ' the State Government 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 foodstuffs and for the taking of samples of foodstuffs for examination shall comply with any direction, that may be given to him by the Licensing Authority in to purchase sale and storage for sale, of foodstuffs and in regard to the language in which the register, returns, receipts invoices mentioned in paragraph 3, 4 & 5 shall be written and the authentication and maintenance of the register mentioned in paragraph 3 9. This license shall be attached to any application for renewal. This license shall be valid upto. Signature of the Officer Issuing the license. C) Tripura Gazette, Extraordinary Issue, February 4, FORM 'C' For use by a dealer (See condition 4 of Form B) 2010 A. D. Returns of stocks, receipts and sales of Foodstuffs for the month ending.... 200 Name of Licensee License No Address . Particulars of godowns where stock held. Variety of the Foodstuffs. Particulars. Quantity in quintals, Remarks if any. Stocks at the beginning of the month. (a) Actual with the stockist. Category of license :- (b) Pledged with any person or institutions such as a bank or co-operative society. Total. Quantity purchased during the month and source of supply. Total. Quantity sold. (a) Quantity delivered during the month. Quantity sold not yet delivered. at the end of the month. (a) with the stockist. Y...ib... delivers with any other or such as a bank or a co-operative society. 3' Goye;-nilent Artarrala 10