

Chincholi, Akurdi, Nigadi, Chinchwad, Pimpriwaghare, Bopkhel, Dighi, Sangavi-Haveli Villages from Haveli Taluka.

(6) Area within revenue limits of the following villages:—

Varje	Dhayari
Shivane	Kirkatwadi
Hingane Khurd	Khondhave-Dhavade
Vadgaon Budruk	Kopare
Vadgaon Khurd	Ahire
Nanded	Khadakwasala
Narhe	

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

N. JAYARAMAN,
Deputy Secretary to Government.

**MAHARASHTRA SCHEDULED ARTICLES (DISPLAY OF STOCKS
AND PRICES BY WHOLESALE DEALERS) ORDER, 1969**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Sachivalaya Annexe, Bombay-32, 25th April 1973.

No. ECA-9172/20250-F.—In exercise of the powers conferred by sub-clause (3) of clause 1 of the Maharashtra Scheduled Articles (Display of Stocks and Prices by Wholesale Dealers) Order, 1969, the Government of Maharashtra hereby directs that the said Order shall come into force on the 10th of May 1973, throughout the remaining area of the State, in which it was not already in force immediately before the said date.

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

N. JAYARAMAN,
Deputy Secretary to Government.

THE MAHARASHTRA CATERING ESTABLISHMENTS (DISPLAY
AND MARKING OF PRICES) ORDER, 1975

(Corrected upto 31.3.1995)

FOOD AND CIVIL SUPPLIES DEPARTMENT

Mantralaya Annexe, Bombay -400 032,
dated the 6th September, 1977.

ORDER

DEFENCE OF INDIA RULES, 1971.

No. DIR. 1177/353-D-XXIII.—In exercise of the powers conferred by sub-rule (2) read with clauses (a), (b), (c), (m), (n), (o) and (q) of sub-rule (3), and by clause (b) of sub-rule (11) of rule 114 of the Defence of India Rules, 1971, (hereinafter referred as "the Defence of India Rules") and of all other powers enabling the Government of Maharashtra on this behalf, the Government of Maharashtra hereby, with effect from the date on which the Maharashtra Catering Establishments (Display and Marking of Prices) Order, 1977 made under the Essential Commodities Act, 1955 (10 of 1955) is published in the *Official Gazette*, rescinds the Maharashtra Catering Establishments (Display and Marking of Prices) Order, 1975, made under the Defence of India Rules, except as respects things done or omitted to be done before that date.

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

V. H. KARVE,
Desk Officer.

**THE MAHARASHTRA CATERING ESTABLISHMENTS (DISPLAY
AND MARKING OF PRICES) ORDER, 1977**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Mantralaya Annexe, Bombay -400 032,
dated the 6th September, 1977

ORDER

ESSENTIAL COMMODITIES ACT, 1955.

No. ECA-1377/825-XXIII.—In exercise of the powers of the Central Government under sub-section (1) read with clauses (c), (d), (e), (h), (i) and (j) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), delegated to it by the Government of India, Ministry of Agriculture (Department of Food) Order No. GSR-316 (E), dated the 20th June 1972 and of all other powers enabling it in this behalf and with the prior concurrence of the Central Government, the Government of Maharashtra hereby makes the following Order, namely:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Maharashtra Catering Establishments (Display and Marking of Prices) Order, 1977.

(2) It extends to all areas within the limits of the municipal corporations constituted under the Bombay Municipal Corporation Act (Bom. III of 1888), the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), and the City of Nagpur Corporation Act, 1948 (C. P. and Berar II of 1950) and of 'A' Class Municipal Councils constituted under the Maharashtra Municipalities, Act, 1965 (Mah. XL of 1965), and of the Cantonments of Pune and Kirkee.

(3) It shall come into force on the date of publication thereof in the *Official Gazette*.

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

(a) "caterer" means the proprietor or other person in-charge of a catering establishment and "catering establishment" means a hotel, restaurant, eating-house, cafe, tea-shop, milk-bar, snack-bar, coffee-stall, club, inn, boarding house canteen, railway refreshment room, restaurant car, and any other place open to the public, where food is prepared, supplied or consumed;

(b) "list of prices" means the list to be maintained and displayed from time to time, by a caterer under clause 3;

(c) " price " in relation to foodstuffs, means the money consideration for which a caterer sells, or parts with, or agrees or offers to sell, or to part with, that foodstuff, or any variety or quality thereof, inclusive of any tax payable under any law for the time being in force in respect of such foodstuff ;

(d) " Specified Officer " means the Director of Civil Supplies, Bombay and includes a Deputy or Assistant Director of Civil Supplies and, within their respective jurisdiction, any Controller of Rationing, Deputy or Assistant Controller of Rationing, Rationing Officer, Assistant Rationing Officer, Chief Rationing Inspector, Rationing Inspector, Chief Inspecting Officer, Inspecting Officer, Collector, Assistant or Deputy Collector, other Revenue Officer not below the rank of Aval Karkun, Assistant Commissioner (Supply), District Supply Officer, Assistant District Supply Officer, Foodgrains Distribution Officer, Assistant Foodgrains Distribution Officer, Zonal Officer, Assistant Zonal Officer, Foodgrains Inspector, Chief or Deputy Chief or other Supply Inspector and Police Officer not below the rank of Sub-Inspector.

3. *Caterers to display or mark prices.*—Every caterer shall, in respect of the foodstuff catered to by him, display and keep displayed conspicuously during the hours of business and at a place as near to the entrance of his business premises as possible, an up-to-date list of prices of foodstuffs which shall be printed, typed, painted or written in pencil or with ink or chalk and shall be readable from a reasonable distance :

Provided that, when any person becomes a caterer, at any time after the commencement of this Order, the provisions of this paragraph shall apply from the seventh day from the day on which such person becomes a caterer. :

Provided further that the provisions of the clause shall not apply to the residential hotels and restaurants including those approved by the Department of Tourism of the Government of India, if a printed menu card including the prices of foodstuffs is made available by such residential hotels and restaurants to the customers at each table.

4. Sale at higher prices, refusal to sell, omission to include any foodstuff held in the list or failure to furnish demanded information prohibited.—No caterer shall,—

(a) sell, or agree or offer for sale, any foodstuff at a price higher than the price displayed in respect of that foodstuff in the list of prices ;

(b) refuse to sell, or withhold from sale, such foodstuff held by him in stock to any person at the price to be displayed ; or

(c) omit to include in the list of prices, any foodstuff ordinarily kept or stored for sale by him, or to display in such list, the price of any foodstuff held by him in stock ; or

(d) refuse to furnish, on demand, information to any Specified Officer regarding the stock of any foodstuff purchased, sold or in stock with him, during a specified period.

5. Caterers to comply with directions of Specified Officer.—Every caterer shall comply with any direction that may be given to him by the Specified Officer in regard to purchase, sale or storage for sale of foodstuff and in regard to the maintenance of accounts, keeping of the registers, returns and issue of receipts, and the language in which they shall be written and such other matter.

6. Powers of entry, examination, search and seizure.—(1) Any police officer not below the rank of Sub-Inspector or any officer of the Food and Civil Supplies Department not below the rank of Rationing Inspector in the Bombay rationing Area and elsewhere the supply Inspector and any officer of Revenue Department not below the rank of Aval Karkun, within their respective jurisdiction, may with a view to securing compliance of this Order or to satisfying himself that this Order has been complied with—

(a) stop and search any person or any boat, vessel, motor or other vehicle or any receptacle used or intended to be used or partly used or partly intended to be used by the caterer ;

(b) enter, search or examine any place ;

(c) seize—

(i) any stocks of foodstuffs in respect of which he has reason to believe that a contravention of any provisions of this Order has been, is being or is about to be committed ;

(ii) any packages, covering or receptacle in which such stock of foodstuff is found ;

(iii) animal, vehicle, vessels or other conveyances used in carrying such foodstuffs if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955 (10 of 1955); and thereunder ;

(iv) take or authorise the taking of all measures necessary for securing the production of packages, covering, receptacles, animals, vehicles, vessels or other conveyances so seized before the Controller of Rationing in the Bombay Rationing Area, and elsewhere the Collector of the District or the judicial authority appointed to hear the appeal under section 6-C of the said Act, if required to do so, and for their safe custody pending such production.

(d) examine or seize any books of accounts or documents which in his opinion shall be useful for or relevant to, any proceedings in respect of any contravention of this Order and allow the person from whose custody such books of accounts or documents are seized to make copies thereof or to take extracts therefrom in his presence.

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

7. *Order not applicable in certain cases.*—Nothing in this Order shall apply to Five Star Hotels recognised by the Department of Tourism of the Government of India.

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

V. H. KARVE,
Desk Officer.

1870
The first of the year was a very
dry one, and the crops were
very poor. The weather was
very hot, and the crops were
very dry.

The second of the year was a
very wet one, and the crops
were very good. The weather
was very cool, and the crops
were very green.

The third of the year was a
very dry one, and the crops
were very poor. The weather
was very hot, and the crops
were very dry.

The fourth of the year was a
very wet one, and the crops
were very good. The weather
was very cool, and the crops
were very green.

The fifth of the year was a
very dry one, and the crops
were very poor. The weather
was very hot, and the crops
were very dry.

The sixth of the year was a
very wet one, and the crops
were very good. The weather
was very cool, and the crops
were very green.

The seventh of the year was a
very dry one, and the crops
were very poor. The weather
was very hot, and the crops
were very dry.

The eighth of the year was a
very wet one, and the crops
were very good. The weather
was very cool, and the crops
were very green.

CATTLE FODDER

**THE MAHARASHTRA CATTLE FODDER (TRANSPORT CONTROL)
ORDER, 1985**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Mantralya Annexe, Bombay 400 032, dated the 19th July 1985

(Corrected upto 31.3.1995)

ORDER

ESSENTIAL COMMODITIES ACT, 1955.

No. ECA- 9685/1220/(1633)-XXIII.—In exercise of the powers conferred on the Central Government by sub-section (1) and clauses (d), (i), and (j) of sub-section (2) of section 3 of Essential Commodities Act, 1955 (10 of 1955) delegated to the Government of Maharashtra by the Government of India, Ministry of Industries and Civil Supplies (Department of Civil Supplies and Co-operation), Order S. O. 681 (E), dated the 30th November 1974, the Government of Maharashtra hereby makes the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Maharashtra Cattle Fodder (Transport Control), Order, 1985.

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

(3) It shall come into force in Nashik and *Dhule* Districts at once and in other District or Districts on such date as the State Government may, by notification in the *Official Gazette*, appoint, but the State Government may, from time to time by notification in the *Official Gazette*, direct that it shall cease to be in force in any district on such date or that it shall come into force in any such district again on any such subsequent date, as may be specified in that notification.

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

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

(b) "Bombay Rationing Area" means the area specified as such in Schedule 'A' to the Maharashtra Foodgrains Rationing (Second) Order, 1966;

— "Cease to be in force" vide G. N. No. ECA 4387/4238/(2955)/XXX, dated 18.9.87.

(c) "Cattle Fodder" means any one or more varieties of cattle fodder specified in Schedule I ;

(d) "Collector", in Greater Bombay means the Controller of Rationing and includes any Deputy or Assistant Controller of Rationing and elsewhere means the Collector of the district and includes any Assistant or Deputy Collector of the district, District Supply Officer, Assistant District Supply Officer, Foodgrains Distribution Officer, or any other Officer authorised by the Collector of a District in this behalf ;

(e) "District" shall have the meaning assigned to it in the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), and includes Greater Bombay ;

(f) "Schedule" means a Schedule to this Order ;

(g) "Transport" means movement from one place to another within the State,

3. Persons not to transport cattle fodder without authorisation from any districts.—No person shall transport, attempt to transport or abet the transport of any cattle fodder from any district in the State in which this order is in force to any area in the State outside the said district, except under and in accordance with an authorisation granted by the Collector having jurisdiction over the area from which such transport is to take place :

Provided that no such authorisation shall be necessary in respect of—

(a) the transport of cattle fodder on Government account ; or

(b) the transport of cattle fodder under and in accordance with Military Credit Notes.

4. Form of authorisation for transport.—An authorisation for the purpose of clause 3 shall ordinarily be in the form set forth in Schedule II.

5. Powers of entry, examination, search and seizure etc.—(1) Any police officer not below the rank of Sub-Inspector or any Officer of the government of Maharashtra in the Food and Civil Supplies Department or the Revenue Department not below the rank of Rationing Inspector in the Bombay Rationing area and elsewhere not below the rank of the

Supply Inspector may, within their respective jurisdiction, with a view to securing compliance of this order or satisfying himself that this order has been complied with—

(a) Stop and search any person or any boat, vessel, motor or other vehicle or any receptacle used or intended to be used for the transport of cattle fodder :

(b) enter, search or examine any place,

(c) seize—

(i) any stocks of cattle fodder in respect of which he has reason to believe that a contravention of any provisions of this order has been or is being, or is about to be committed ;

(ii) any packages, coverings or receptacles in which such stock of cattle fodder is found ;

(iii) the animals, vehicles, vessels or other conveyances used in carrying such cattle fodder if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Act and thereafter :

(iv) take or authorise the taking of all measures, necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or other conveyance so seized before the Controller of Rationing in the Bombay Rationing Area, and elsewhere, before the Collector of the district or the State Government authorised to hear appeal under section 6-C of the Act, if required to do so, and for their safe custody pending such production :

(d) examine or seize any books of accounts or documents which in his opinion would be useful for, or relevant to, any proceedings in respect of any contravention of this order and allow the persons from whose custody such books of accounts or documents are seized to make copies thereof or to take extract therefrom in his presence.

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

6. Appeal.—(1) Any person aggrieved by an order made by any officer under this order any,—

(a) If the order is made by any officer lower in rank than that of the Collector of the district appeal to the Collector of the district.

(b) if the order is made by the Collector of the district, appeal to the Commissioner.

(2) No such appeal may be entertained if not preferred within thirty days from the date of receipt of the order appealed against by the appellant.

(3) No order shall be passed under this clause, which adversely affects any person unless such person has been given a reasonable opportunity of being heard.

7. Power to call for and examine the record or proceedings and revise order.—The State Government may, at any time, during the pendency of any inquiry or proceedings or within ninety days from the date of any order passed by any officer under this order, on an application or *suo-motu* stay any pending inquiry or proceedings or the enforcement of such order if considered necessary and may call for and examine the records of any such inquiry or proceedings and pass such order thereon as it thinks fit :

Provided that the State Government shall not pass any order under this clause which adversely affects any person, unless such person has been given a reasonable opportunity of being heard.

8. Exemption.—Nothing in this order shall apply,—

(i) to a corporation or company owned or controlled by the Central Government or a State Government, or

(ii) to any Central level or State level Co-operative society engaged in the production, procurement, sale, purchase or distribution of cattle fodder, or

(iii) to the transport of cattle fodder brought from other Districts of States to its place of delivery in the district.

9. Repeal and Savings.—The Maharashtra Cattle Fodder (Transport Control) Order, 1982 is hereby repealed :

Provided that such repeal shall not affect—

(a) the previous operation of the said order or any thing duly done or suffered thereunder ; or

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

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

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment, may be imposed as if the said order had not been repealed.

SCHEDULE I

[See clause 2 (c)]

Cattle Fodder of any category including—

1. Hay.
2. Bhusa.
3. Gowar.
4. Karab or Karabi or Karba of Pendha.
5. Grass.
- *6. Dry Sugar cane*

SCHEDULE II

(See clause 4)

Form of Authorisation

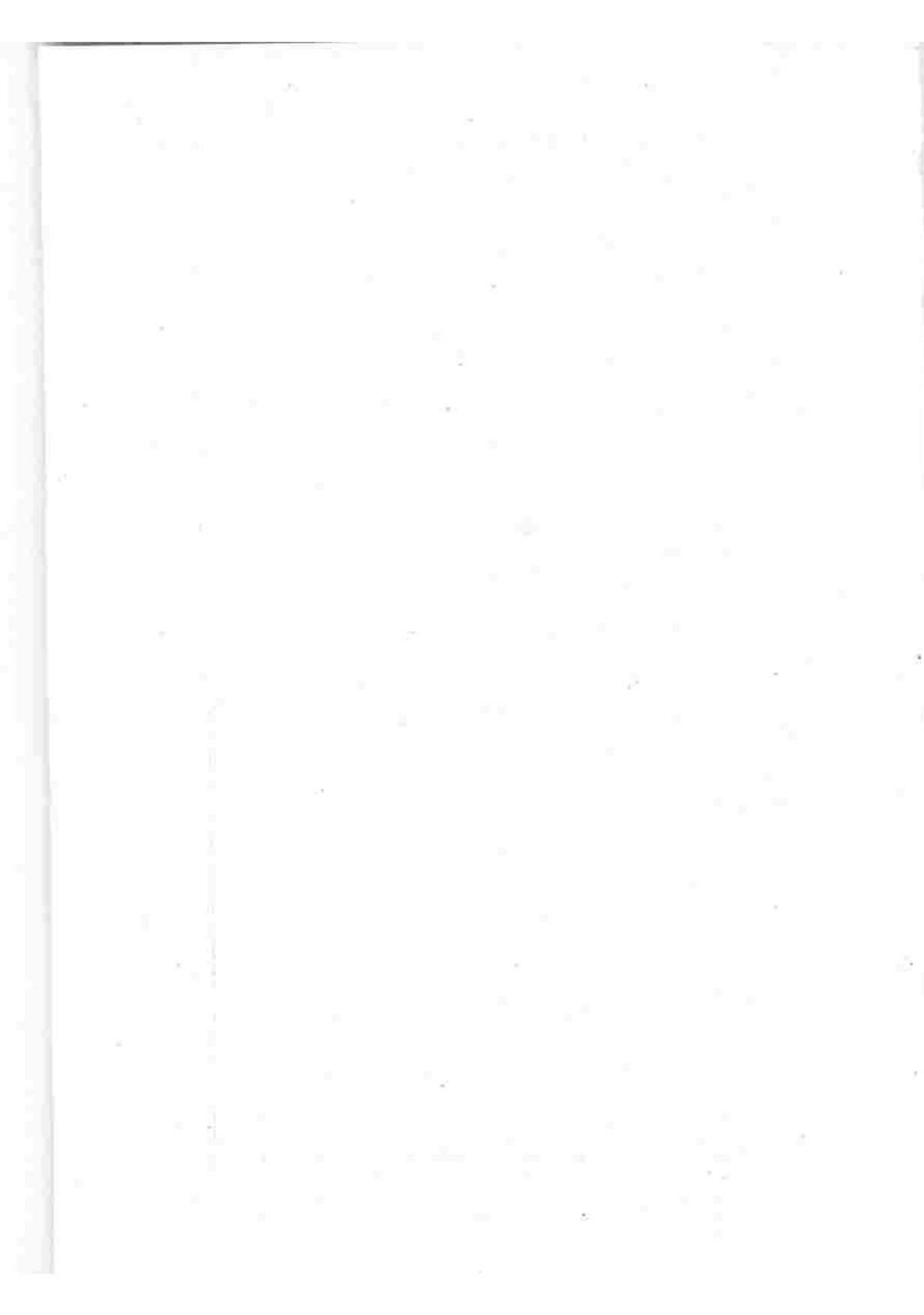
Shri/Smt./Kumari is hereby authorised to transport moulds/sheaves/bags/ quintals/kilograms of by road/rail/ water from village, taluka district of the State of Maharashtra, within days from the date of issue of this authorisation.

Signature and Designation of the
Officer granting the Authorisation.

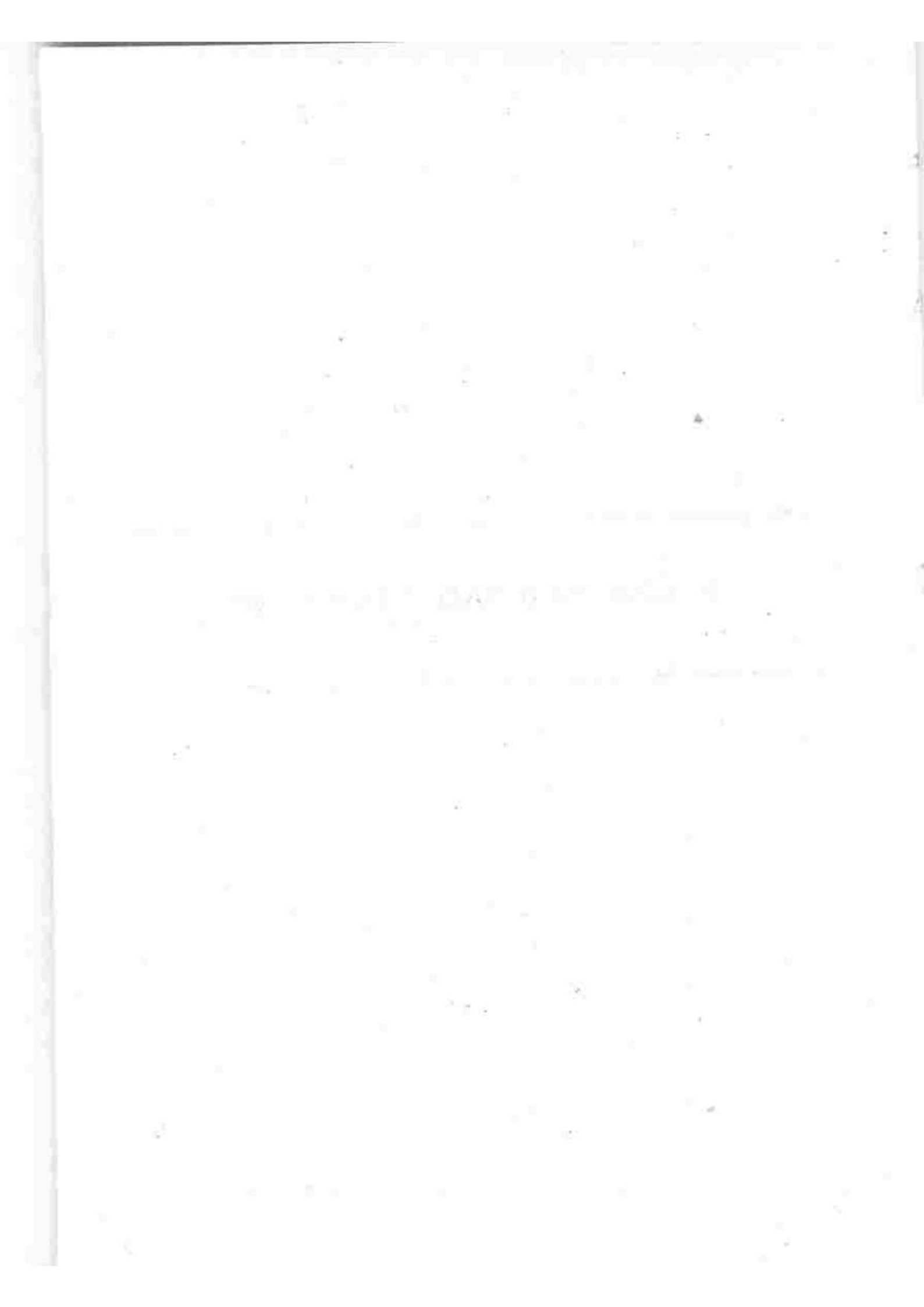
By order and in the name of the
Governor of Maharashtra

M. B. CHOBE,
Joint Secretary to Government.

— Added vide G. O. No. ECA-9686-71-2320-XXX, dated 12th May 1985.



SUGAR, GUR AND KHANDSARI



MAHARASHTRA SUGAR DEALERS' LICENSING ORDER, 1963

FOOD AND CIVIL SUPPLIES DEPARTMENT

No. SUG-2162-7695/S-1, Bombay, 13th February 1963

*(Corrected upto 31-3-95)***ORDER**

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 in the Ministry of Food and Agriculture (Department of Food), No. G. S. R. 888, dated the 28th June 1961 and with the prior concurrence of the Central Government, the Government of Maharashtra, is pleased to make the following order namely:—

1. *Short title, Extent and Commencement.*—(1) This Order may be called for Maharashtra Sugar Dealers' Licensing Order, 1963.

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

(3) It shall come into force on the 1st of March 1963.

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

(a) "Dealer" means a person engaged in the business of purchase, sale or storage for sale of sugar in quantities exceeding *10 quintals* at any one time, but does not include †[]† an industrial undertaking which is engaged in the manufacture or production of sugar and which is registered or licensed under the Industries (Development of Regulation) Act, 1951, ‡and an importer who imports sugar from outside India.†

(b) "Form" means a form set forth in the Schedule to this order ;

(c) "Licensing authority" means an officer appointed by the State Government to exercise the powers and perform the duties of the Licensing Authority under this Order ;

— Figures and words " 100 quintals " substituted by figures and words " 10 quintals " vide G. O. No. ECA-3272-1348-F. dated 4th March 1972.

†—† The words " a ration shop authorised under clause 3 of the Maharashtra Levy Sugar (Regulation of Distribution) Order, 1967, or " deleted vide G. O. No. ECA-3271-F. dated the 8th July 1971.

‡—‡ Inserted vide G. O. No. SUG-1194/3223/CR-5797/CS-19, dated 24th June 1994.

(c-a) "retailer" means a retail dealer in sugar, as defined in clause 2 (j) (ii) of the Maharashtra Scheduled Commodities Retail Dealers' Licensing Order, 1979;

(d) "State Government" means the Government of State of Maharashtra;

†(e) "Sugar" means,—

(i) any form of sugar containing more than 90 per cent of sucrose, including Khandsari sugar, Sugarcandy and Bura sugar;

(ii) any sugar of crystalline structure;

(iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein †.

‡(f) "Wholesaler" means a dealer who is not a retailer, and includes a commission agent who holds stocks of sugar for sale to dealers in the conduct of his business ‡.

3. *Licensing of Dealers.*—(1) No person shall carry on business as a dealer except under and in accordance with the terms and conditions, of a licence issued in this behalf by the licensing authority;

¶—¶

(2) A separate licence shall be necessary for each place of business;

(3) For the purpose of this clause, any person who stores sugar in any quantity exceeding § 10 quintals§ at any one time shall, unless the contrary is proved, be deemed to store the sugar for the purpose of sale.

4. *Issue of Licence.*—(1) Every application for a licence # or renewal thereof # shall be made to the licensing authority in form "A";

(2) Every licence issued # or renewed# under this order shall be in form "B" and shall be subject to the conditions specified therein.

— Substituted vide G. O. No. SAKHAR 2087/6490/CR-4198/CS-XIX, dated the 31st December 1987.

†—† Substituted vide G. O. No. ECA-7067 (b)-F, dated 5th December 1967.

‡—‡ Sub-clause (f) substituted vide G. O. No. ECA-3275/1151-D-XXIII, dated 24th November 1975.

¶—¶ Proviso deleted vide G. O. No. SAKHAR 2087/6490/CR-4198-CS-XIX, dated 29th December 1993.

§—§ Substituted vide G. O. No. ECA-3272/1348/F, dated 4th March 1972.

#—# Inserted vide G. O. No. SAKHAR 2087/6490/CR-4198/CS-19, dated 29th December 1993.

5. Period of Licence and Fee Chargeable.—*(1) Every licence granted under this Order shall be valid for a period of five years from the date of issue of a licence and shall be thereafter be renewed for a period of five years, at a time ;

Provided that, no licence shall be granted for any period beyond the 31st December of the fourth year next following the year in which it is granted*.

†(1-A) (a) Every licensee shall who desires to get this licence renewed shall apply for the renewal thereof before the date of expiry of his licence :

Provided that, where a licensee applies for the renewal of his licence before the 31st January of the following year after the expiry of the validity period of the licence, the application shall be accepted by the licensing authority.

(b) No application for the renewal of a licence shall thereafter be entertained by the licensing authority, unless the said authority is satisfied that the application for the renewal could not be made in time, for valid and sufficient reasons.

(c) Where it is found that a licensee is carrying on his business without obtaining a renewal of his licence, within the prescribed time limit upto 31st January of the following year after the expiry of its validity, subject to caluse 7-A, 25 per cent of his security deposit may be forfeited to government :

Provided that, after thirty days from the expiry of the prescribed time limit, if the dealer still carries on his business, the remaining or the whole amount of the security deposit, as the case may be, may likewise be forfeited to Government. †

‡ (2) The fees as specified below shall be chargeable in respect of each licence, namely :—

(i)	for issue of a licence	Rs. 100
(ii)	for renewal of a licence	Rs. 30
(iii)	for issue of a duplicate licence	Rs. 10 ‡.

— Substituted *vide* SHKHAR-2087/6490/CR-4198/CS-19, dated 29th December 1993.

†—† Inserted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-19, dated 29th December 1993.

‡—‡ Substituted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-XIX, dated 29th December 1993.

* **5A. Deposit of Security.**—Every person applying for a licence shall, before such licence is issued to him, deposit with the licensing authority a sum of †Rs. 1,000 † in cash or in the form of National Savings Certificate, by way of security for the due performance of the conditions of the licence to be issued to him.

6. Power to Refuse Licence.—The Licensing authority may, after giving the dealer concerned an opportunity of stating his case in writing and for reasons to be recorded in writing refuse to grant @ or renew @ a licence.

✓ **7. Contravention of Conditions of Licence.**—No holder of a licence issued under this order (or his agent or servant or any person acting on his behalf) shall contravene any of the terms or conditions of the licence and if any such holder (or his agent or servant or any person acting on his behalf) contravenes any of the said terms or conditions, then, without prejudice to any other action that may be taken against him his licence 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 a reasonable opportunity of a stating his case in writing against the proposed cancellation or suspension.

‡**7A. Forfeiture or Security Deposit.**—(1) Without prejudice to the provisions of clause 7, if the licensing authority is satisfied that the licensee has contravened all or any of the conditions Nos. 3, 4, 5 and 7 in so far as they relate to the language in which the register, returns, receipts or invoices shall be written and the authentication and maintenance of the register mentioned in condition No. 3 of the licence and that a forfeiture of the security deposit is called for, the licensing authority may after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the Licensee :

Provided that, where a cancellation of the licence, is duly ordered by the licensing authority, the order of cancellation shall also be accompanied by an order forfeiting the entire deposit‡.

— Substituted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-XIX, dated 31-12-1987.

†—† Substituted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-XIX, dated 29th December 1993.

—* Inserted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-XIX, dated 29th December 1987.

‡—‡ Inserted *vide* G. O. No. ECA-1067/(b)/F, dated 5-12-67.

*(1-A) If the licensing authority is satisfied that any licence had been or has been carrying on his business after the expiry of his licence without applying for its renewal, then the licensing authority shall, after giving the licensee a reasonable opportunity of stating his case against the forfeiture by order, forfeit—

(i) twenty-five per cent of the amount of his deposit, if the period of carrying on the business after the expiry of the licence is not more than one month; and

(ii) the whole of the amount of such deposit in any other case*.

†(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 5A, forthwith deposit further security to make up that amount, on being required by the licensing authority to do so.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security, or such part thereof which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence†.

‡7B. *Action against withholding from sale or refusal to sell.*—The licensee shall not withhold from sale or refuse to sell the supplies of sugar ordinarily kept for sale. If the licensee or his agent or servant or any other person acting on his behalf contravenes this provision, which is also included in the terms and conditions of his licence, without prejudice to any other action that may be taken against him under section 7 of the Essential Commodities Act, 1955, the Licensing Authority may take appropriate action against the licensee under the provisions of clauses 7 and 7A which he thinks fit‡.

¶ 7C. Except with the previous permission of the licensing authority no holder of a licence issued under this Order shall have any transaction of sale with any other holder of such licence of any sugar held by him in a factory or other place, where the transaction does not lead to physical delivery of sugar by or on behalf of the seller to the purchaser of such sugar ¶.

— Inserted *vide* G. O. No. SAKHAR 2087/6990/CR/4198/CS-19, dated 29-12-1993.

†—† Inserted *vide* G. O. No. ECA-1067/(b)/F, dated 5-12-67.

‡—‡ Inserted *vide* G. O. No. ECA-3276/23790/XXIII, dated 18-8-1976.

¶—¶ Inserted *vide* G. O. No. ECA-3280/5771/(886)/XXIII, dated 30-5-1980, and renumbered as "7-G" *vide* G. C. No. ECA-3280/577/(586)/XXIII, dated 24-9-1980.

***7D.** Whenever sale transaction does not lead to physical delivery of sugar from one wholesaler to another wholesaler, the licensee who is a wholesaler shall not sell sugar to another wholesaler :

Provided that, the sale transaction between one wholesaler and another wholesaler shall be permitted, if such transaction leads to physical delivery of sugar from one wholesaler to another wholesaler and that such transaction is the first such transaction. After such first transaction, the wholesaler who purchases sugar +shall sell it + to retailer only : *

‡Provided that, the sale transaction between one wholesaler and another wholesaler located within the city or outside the city shall be permitted, if such transaction leads to physical delivery of sugar from one wholesaler to another wholesaler and that such transaction is the first such transaction, and after such first transaction the wholesaler who purchases sugar shall sell it to retailer only ‡.

8. *Appeal.*—(1) Any person aggrieved by any order of the licensing authority refusing to issue ¶or renew¶ a licence or cancelling or suspending a licence or §forfeiting the security deposited by the licensee§ under the provisions of this order may appeal to the State Government within 30 days of the date of the receipt by him of such order.

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

(3) Pending the disposal of an appeal, the State Government may direct that #the order refusing to renew# a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed of.

— Inserted *vide* G. O. No. ECA 2085/8018/(3630)/D-XIX, dated 30-12-1985.

+—+ Substituted *vide* G. O. No. SAKHAR 3489/2029/CR-4629/CS-XIX, dated 26-6-1989.

‡—‡ Substituted *vide* G. O. No. SAKHAR 3491/1637/CR-5180/CS-XIX, dated 18-7-1991.

¶—¶ Inserted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-19, dated 29-12-1993.

§—§ Inserted *vide* G. O. No. ECA 7067/(b)/F, dated 5. 12. 1967.

#—# Inserted *vide* G. O. No. SAKHAR 2087/6990/CR-4198/CS-19, dated 29-12-1993.

9. Powers of Entry, Search, Seizure, etc.—(1) The Licensing authority or any other officer authorised by the State Government in this behalf, may, with such assistance, if any, as he thinks fit.—

(a) 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 licence issued thereunder has been, is being, or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contraventions :

(b) enter, inspect or break open and search any place or premises vehicles or vessel in which he has reason to believe that any contravention of the provisions of this order or of the conditions of any licence issued thereunder, has been, is being or is about to be committed :

(c) take or cause to be taken extracts from or copies of any documents showing transactions relating to such contravention which are produced before him :

(d) search, seize and remove stocks of sugar and the animals, vehicles, vessels or other conveyance used in carrying the said sugar in contravention of the provisions of this order, or of the conditions of the licences issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks or sugar and the animals, vehicles, vessels or other conveyances to seized, in a Court and for their safe custody pending such production.

2. The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may apply to searches and seizures under this clause.

10. Saving.—Nothing in this order shall apply to—

(i) the sale or storage for sale or purchases of sugar on Government account.*—*

— Word " and " delated vide G. O. No. ECA-3271-32518-F, dated 20-7-1972.

(ii) the sale by banks of stocks of sugar hypothecated to them provided that the sugar is sold in accordance with the terms and conditions applicable to the hypothecators.

(iii) the sale or storage for sale or purchase of sugar by the Food Corporation of India established under the Food Corporation Act, 1964.

SCHEDULE

FORM "A"

[See clause 4 (1)]

THE MAHARASHTRA SUGAR DEALERS' LICENSING ORDER, 1963

APPLICATION FOR LICENCE

1. Applicant's Name ..
2. Applicant's Profession ..
3. Applicant's Residence ..
4. Situation of Applicant's Place or Places of Business with Particulars as to Number of House, Mohalla, Town or Village, Police Station and District.
5. How long the applicant has been trading in sugar.
6. Does the applicant hold a sugar licence on any previous occasion? (IF so, give particulars including its suspension or cancellation, if any).
7. Quantities of sugar handled annually during the last three years (November—October).

— Paragraph (iii) added vide G. O. No. ECA-3271-32518-F, dated 20-7-1972.

SCHEDULE—contd.

8. Income Tax paid in the two years proceeding the year of application (to be indicated separately).

(1)

(2)

9. Quantity of sugar in the possession of the applicant on the date of application and the place at which the different quantities are kept.

I declare that the quantities of sugar specified above are in my possession this day and are held at the places noted against them.

I have carefully read the conditions of licence given in Form "B" appended to the Maharashtra Sugar Dealers' Licensing Order, 1963, and I agree to abide by them.

*(a) I have not previously applied for a licence in this district under this order ;

*(b) I applied for such licence in this district/Greater Bombay for
.....
..... on not granted a licence on

†(c) I hereby apply for renewal of licence No.
dated issued to me on
.....†

Place :

Signature of Applicant.

Date :

— Strike off the Clauses not applicable.

†—†Added vide G. O. No. SAKHAR 2081/6490/C.R. 4198/C.S. 19, dated 29th December, 1993.

*FORM " B "

[See clause 4 (2)]

THE MAHARASHTRA SUGAR DEALERS' LICENSING ORDER, 1963

Licence for Purchase, Sale or Storage of Sugar for Sale

Licence No.

1. Subject to the provisions of the Maharashtra Sugar Dealers' Licensing Order, 1963, and to the terms and conditions of this licence is/are hereby authorised to purchase, sell or store sugar for sale.

†2. (a) The Licensee shall carry on the aforesaid business at the following place—

.
.

(b) The Licensee shall not store sugar in which the aforesaid business is to be carried on at any place other than any of the godowns mentioned below—

.
.

Note.—If the licensee intends storing his sugar in godowns other than those specified above, he shall give intimation of the actual occupation of any such godown within 48 hours of the actual occupation thereof and shall produce the licence for making changes by the Licensing Authority†.

* Substituted vide G. O. No. ECA-7069-694-F, dated 26th June 1970.
† Substituted vide G. O. No. ECA-3278-303 (682)-XXIII, dated the 23rd November 1979.

3. (i) The Licensee shall maintain a register of daily accounts for sugar showing correctly.—

(a) the opening stock on each day;

(b) the quantities received on each day showing the place from where and the sources 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.

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

(iii) Separate registers should be maintained for Khandsari Sugar.

*4. The Licensee whose closing balance at the end of any †month† ‡does not exceed 250 quintals‡ shall submit a true return in form C-1 and the licensee whose closing balance at the end of any †month† ‡exceed 250 quintals‡ shall submit a true return in Form " C " to the Licensing Authority, of the stocks, receipts and deliveries of each of the sugar every †month†. ¶—¶ so as to reach him § within ten days§ after close of the †month†. *

** 4A. The licensee shall not contravene the provisions of the Maharashtra Sugar Dealers' Licensing Order, 1963, or any other Order relating to foodstuffs issued under the Essential Commodities Act, 1955 (10 of 1955).**

\$4B. The licensee shall not contravene the provisions of any Order relating to sugar made by any authority under rule 125 of the Defence of India Rules, 1962 which is for the time being in force \$.

4C. The licensee shall not—

(i) enter into any transaction involving purchase, sale or storage for sale of sugar in speculative manner prejudicial to the maintenance and easy availability of supplies of sugar in market ;

(ii) withhold from sale supplies of sugar ordinarily kept for sale; and

— Substituted vide G. O. No. 7069/694-F. dated 26-6-1970.

†—† Word ' month ' substituted vide G. O. No. ECA-3270/31304-F. dated 15-1-1971.

‡—‡ Substituted vide G. O. No. ECA-3273/24331-F. dated 6-8-1974.

¶—¶ The words " 1st to 15th and 16th to the end of the month " deleted vide G. O. No. ECA-3270/31304-F. dated 15-1-1971.

§—§ Substituted vide G. O. No. ECA 3270/31304-F. dated 15-1-1971.

— Added vide G. O. No. SUG-2162/7695. dated 17-4-1963.

\$—\$ Substituted vide G. O. No. SUG 2162/7695. dated 9-5-1964.

(iii) charge, in respect of sales of sugar made by him a margin of profit at a rate in excess of any maximum rate of margin fixed for wholesale transactions in sugar by a representative body of sugar dealers if any for the locality concerned.

4D. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of sugar held by him for sale. Such price list shall be legibly written in the principal language of the locality concerned. It shall indicate separately the prices of different varieties of sugar.

5. †For every sale of sugar to any customer for 3 kilograms or more, the licensee shall issue to such customer† a correct receipt of invoice, as the case may be, giving his own name, address and licence number, the name, address, the licence number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any other officer authorised by him in this behalf.

6. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by the State Government for the inspection of his stock and accounts of any shop, godown or other place used by him for the storage, sale or purchase of sugar and for the taking of samples of sugar for examination.

7. The licensee shall comply with any direction that may be given to him by the State Government or the licensing authority ‡()‡ in regard to the language in which the register, returns, receipts or invoices mentioned in paragraphs 3, 4 or 5 shall be written and the authentication and maintenance of the register mentioned in paragraph 3.

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

9. This licence shall be valid upto

place :

Signature of the Officer
issuing the Licence*.

Date :

— Added *vide* G. O. No. ECA-7067(B)-F, dated 5-12-67.

†—† Substituted *vide* G. O. ECA-3271/F, dated 7-9-1973.

‡—‡ Deleted *vide* G. O. No. ECA 7067(B)-F, dated 5-12-67.

•FORM 'C'

For use by a licensee whose closing balance at the end of †[month]† exceeds ‡250 quintals but does not exceed 100 quintals‡

(See condition 4 of the Form "B")

Return of stocks, Receipts and Sales of Sugar for the †[month] ending

Name

No. of Licence

Address

	Qty. in quintals	Qty. in quintals	Qty. in quintals
I. Opening Balance :			
(A) At the factories			
(B) At places of other Sources of purchases.			
(C) At godowns or other place of storage.			
(D) In transit			
Total ..			
II. Purchases from Factories :			
(A) At the factories			
(B) After lifting from other sources of purchases. **			
(C) From ready stock in the godown.			
Total ..			
III. Closing Balance :			
(A) At the factory (yet to be lifted by the licensee).			

I. Sales :

(A) ** After lifting from the factories.

(B) After lifting from other sources of purchases. **

(C) From ready stock in the godown.

II. Closing Balance :

(A) At the factory (yet to be lifted by the licensee).

*FORM 'C'—contd.

	Qty. in quintals	Qty. in quintals	Qty. in quintals
Name—			
(i)			
(ii)			
(iii)			
(iv)			
and so on			
Total ..			
III. Purchases from other sources—			
Name—			
(i)			
(ii)			
(iii)			
(iv)			
and so on			
Total ..			
(B) At places of other sources of purchases (yet to be lifted by the licensee).			
Name—			
(i)			
(ii)			
(iii)			
(iv)			
and so on			
Total ..			
(C) At godowns or other places of storage (Ready stocks).			
Name and the Place—			
(i)			
(ii)			
(iii)			
and so on			
Total ..			

III. Stock in transit
Place of Despatch
Destination.

(i)
(ii)
(iii)

and so on

Grand Total (i) to (iii)

Total . . .
Grand Total (i) to (iii)

Note.—(1) These will include acceptance of offers made by the licensee in auction sales, tenders and quotations or any other type of purchase in which cost of sugar is paid in part or full.
(2) If any stock transferred from one godown/place to another godown/place, remains in transit at the end of the month such stock should also appear under item (iii) on the right hand side of the above statement.
(3) Whether any of the stocks are pledged, if so, with them and for what quantity to be detailed below:—

With whom pledged.

Name—

(i)
(ii)
(iii)
(iv)

and so on

total . . .

Quantity in Quintals

. . .
. . .
. . .
. . .

total . . .

To,

The Licensing Authority.
Place.

District

Signature of Licensee and date.*

*Form C Substituted vide G. O. No. ECA-7069/694-F, dated 26-6-1970.
†The word month substituted vide G. O. No. ECA-3270/31304-F, dated 15-1-1971.
‡Substituted vide G. O. No. ECA-3273-24331-F, dated 6-8-1974
***Substituted vide G. O. No. ECA-3280/577 (886)-XXIII, dated 30-5-1980.

*FORM 'C-1'

For use by a licensee whose closing balance at the end of any
 †month‡ †does not exceed 250 quintals‡

(See condition 4 of Form 'B')

Return of Stocks, Receipts and Sales of Sugar
 for the †month‡ ending

Name

No. of Licence

Address

Quantity in quintals

- | | |
|--|-------|
| (a) Opening Balance | |
| (b) Fresh purchases during the †[month]‡ | |
| (c) Total (a) + (b) | |
| (d) Sales during the †[month]‡ | |
| (e) Closing Balance (c) —(d) | |

To the Licensing Authority.

Place

District

Signature of the licensee
 and date*.

— Form 'C-1' substituted *vide* Government Order No. ECA-7069/694-F, dated the
 26th June 1970.

†—† the word 'month' substituted *vide* Government Order No. ECA-3270/31304-F,
 dated the 15th January 1971.

‡—‡ Substituted *vide* Government Order No. ECA-3273/24331-F, dated 6-8-74.

MAHARASHTRA GUR AND KHANDSARI DEALERS' LICENSING ORDER, 1963

FOOD AND CIVIL SUPPLIES DEPARTMENT

No. GUR-1463-17764-S. V., Bombay, 24th July 1963.

(Corrected upto 31-3-1995)

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 in the Ministry of Food and Agriculture (Department of Food), No. GSR-888, dated the 28th June 1961 and with prior concurrence of the Central Government, the Government of Maharashtra hereby makes the following Order, namely,—

1. *Short title, Extent and Commencement.*—(1) This Order may be called the Maharashtra Gur and Khandsari Dealers' Licensing Order, 1963.

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

(3) It shall come into force on the 1st of August 1963.

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

(1) "Dealer" means a person engaged in the business of purchase, sale or storage for sale of Gur or Khandsari in Quantities exceeding *25 quintals* at any one time † and includes a commission agent who holds stocks of Gur or Khandsari for sale in the conduct of his business† ;

(b) "Form" means a form set fourth in the Schedule to this Order ;

(c) "Gur" means articles commonly known as gur, gol, jaggery and rab and jaggery powder or shakkar, and includes uncrystallised sugar in any other form, comprising of original and convertible molasses and other impurities, inherent or foreign prepared by boiling sugarcane juice but does not include raw sugar and palmyra jaggery ;

— Figures and words " 250 quintals " substituted by figures and words " 25 quintals " vide G. O. No. ECA-7372-29711-F, dated 9-11-1972.

†—† Added vide G. O. No. ECA-7375-D-XXIII, dated 24-11-1975.

(d) "Khandsari" means a sugar in the manufacture of which neither a vacuum pan nor a vacuum evaporator is employed ;

(e) "Licensing Authority" means an officer appointed by the State Government to exercise the powers and perform the duties of the licensing authority for the purpose of this Order.

3. *Licensing Dealers.*—(1) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

(2) a separate licence shall be necessary for each place of business.

(3) For the purpose of this clause any person who stores gur or khandsari in any quantity exceeding *25 quintals* at any one time shall unless the contrary is proved, be deemed to store the gur or khandsari as the case may be, for the purpose of sale.

4. *Issue of Licence.*—(1) Every application for a licence †for renewal thereof† shall be made to the licensing authority in Form "A".

(2) Every licence issued †or renewed† under this Order shall in Form "B" and shall be subject to the conditions specified therein.

5. *Period of Licence and fee chargeable—*

¶(1) Every licence granted under this Order shall be valid for a period of five years from the date of issue of the licence and may thereafter be renewed for a period of five years at a time :

Provided that, no licence shall be granted for any period beyond the 31st December of the fourth year next following the year in which the licence is granted ¶ .

§(1-A) (a) Every licensee who desires to get his licence renewed shall apply for the renewal thereof before the date of expiry of his licence :

— Figures and words 250 quintals substituted by figures and words 25 quintals vide G. O. No. ECA-7372-29711-F, dated 9-11-1972.

†—† Inserted vide G. O. No. Sakhar-2087/6490-CR-4198-CS-19, dated 29th December 1993.

¶—¶ Substituted vide G. O. No. Sakhar-2087/6490-CR-4198-CS-19, dated 29th December 1993.

§—§ Inserted vide G. O. No. Sakhar-2087/6490-CR-4198-CS-19, Dated 29-12-1993.

Provided that where a licensee applies for the renewal of his licence before the 31st January of the following year after the expiry of the validity period of the licence the application shall be accepted by the Licensing authority :

(b) No application for the renewal of a licence shall thereafter be entertained by the Licensing authority, unless the said authority is satisfied that the application for the renewal could not be made in time for valid and sufficient reason :

(c) Where it is found that a licensee is carrying on his business without obtaining the renewal of his license within the prescribed time limit upto 31st January of the following year after expiry of its validity, subject to clause 7A, 25 per cent of his security deposit may be forfeited to Government :

Provided that after thirty days from the expiry of the prescribed time limit, if the dealer still carries on his business, the remaining or the whole amount of the security deposit, as the case may be, may likewise be forfeited to Government.

* (2) The fees as specified below shall be chargeable in respect of each licence, namely :—

(i) For issue of a Licence	Rs. 100
(ii) For renewal of a Licence	Rs. 30
(iii) For issue of duplicate Licence	Rs. 10*

†5A. *Deposit of Security.*—Every person applying for a licence shall, before such licence is issued to him, deposit with the licensing authority a sum of *Rs. 200* in cash or in the form of National Saving Certificate, by way of security for the due performance of the conditions of the licence to be issued to him.†

— Substituted *vide* G. O. No. Sakhar -2087/6490-CR-4198-CS-19, dated 29-12-1993.

†—† Substituted *vide* G. O. No. Sakhar-2087/6490-CR-4198-CS-19, dated 31st December 1987.

6. *Power to refuse Licence.*—The Licensing authority may after giving the dealer concerned an opportunity of stating his case in writing and reasons to be recorded in writing, refuse to grant *or renew* a licence.

7. *Contravention of conditions of Licence.*—No holder of a licence issued under this Order or his agent or servant or any person acting on his behalf shall contravene any of the terms or conditions of the licence and if any such holder or his agent or servant or any person acting on his behalf contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence shall be cancelled or suspended by order in writing of the Licensing authority.

†7A. *Forfeiture of security deposit.*—(1) Without prejudice to the provisions of clause 7, if the licensing authority is satisfied that the licensee has contravened all or any of the conditions Nos. 3, 4, 5 and 7 in so far as it relates to the language in which the registers, returns receipts or invoices shall be written and the authentication and maintenance of the register mentioned in condition No. 3 of the licence and that a forfeiture of the security deposit is called for, the licensing authority may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the Licensee :

Provided that, where a cancellation of the licence, is duly ordered by the licensing authority, the order of cancellation shall also be accompanied by an order forfeiting the entire deposit. †

‡(1A) If the licensing authority is satisfied that any licensee had been or has been carrying on his business after the expiry of his licence without applying for its renewal then the licensing authority shall after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit,

(i) twenty-five per cent, of the amount of his deposit, if the period of carrying on the business after the expiry of the licence is not more than one month, and

(ii) the whole of the amount of such deposit, in any other case. ‡

— Inserted *vide* G. O. No. SAKHAR-2087/6490/CR-4198/CS-19, dated 29-12-93

†—† Inserted *vide* G. O. No. ECA-7376/23790/XXIII, dated 18-8-1976.

‡—‡ Inserted *vide* G. O. No. SAKHAR 2087/6490/CR-4198/CS-19, dated 29-12-1993.

***(2)** The licensee shall, if the amount of security of any time falls short of the amount specified in clause 5A, forthwith deposit further security to make up that amount, on being required by the licensing authority to do so.

(3) Upon due compliance by the licensee with all obligations under the licence the amount of security, or such part thereof which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.*

* **7B.** *Action against withholding from sale or refusal to sell gur and Khandsari.*—The licensee shall not withheld from sale or refuse to sell the supplies of gur and khandsari ordinarily kept for sale. If the licensee or his agent or servant or any other person acting on his behalf contravenes this provision, which is also included in the terms and conditions of his licence, without prejudice to any other action that may be taken against him, under section 7 of the Essential Commodities Act, 1955, the Licensing Authority may take appropriate action against the licensee under the provisions of clauses 7 and 7A, which he thinks fit* :

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case, against the proposed cancellation or suspension.

†**7C.** *Fixing of limit of stock.*—No licensee shall at any time hold in stock more than ‡500 quintals† of Gur.†

8. *Appeal.*—(1) Any person aggrieved by any order of the Licensing authority refusing to issue ¶or renew¶ a licence or cancelling or suspending a licensee under the provisions of this Order may appeal to the State Government within 30 days of the date of the receipt by him of such order.

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

— Inserted vide G. O. No. ECA-7376/23790/XXIII, dated 18-8-1976.

†—† Inserted vide G. O. No. GUR-1088/6222/CR 4426/CS-19, dated 21-7-1989.

‡—‡ Substituted vide G. O. No. GUR-1088/6222/CR-4426/CS-19, dated 6-8-1992.

¶—¶ Inserted vide G. O. No. SAKHAR-2087/6490/CR-4198/CS-19, dated 29-12-1993.

(3) Pending the disposal of an appeal, the State Government may direct that *the order refusing to renew a licence or the* order cancelling or suspending a licence shall not take effect until the appeal is disposed off.

9. *Power of entry, search, seizure etc.*—(1) The licensing authority or any other officer authorised by the State Government in this behalf may, with such assistance, if any, as he thinks fit—

(a) 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 licence issued thereunder has been, is being, or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contraventions ;

(b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reasons to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder, has been, is being or is about to be committed ;

(c) take or cause to be taken, extracts from or copies of, any document showing transactions relating to such contravention which are produced before him ;

(d) search, seize and remove stocks of gur or khandsari and the animals, vehicles, vessels, or other conveyance used in carrying the said gur or khandsari in contravention of the provisions of this Order, or of the conditions of the licences issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of the said stocks and the animals, vehicles, vessels or other conveyances so seized, in a Court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may apply to searches and seizures under this clause.

10. *Saving.*—Nothing in this Order shall apply to—

(i) the sale or storage for sale or purchase of gur or Khandsari on Government account ; † †

— inserted vide G. O. No. SAKHAR-2087/6490/CR-4198/CS-19, dated 29.12.1993.

†—† Word 'and' deleted vide G. O. No. ECA-7371/F, dated 20.7.1972.

(ii) the sale by banks of stocks or gur or khandsari hypothecated to them provided that the gur or khandsari is sold in accordance with the terms and conditions applicable to the hypothecators ;

(iii) the sale or storage for sale or purchase of gur or khandsari by the Food Corporation of India established under the Food Corporation Act, 1964.

SCHEDULE

FORM " A "

[See Clause 4 (I)]

THE MAHARASHTRA GUR AND KHANDSARI DEALER'S LICENSING ORDER, 1963

Application for licence

1. Applicant's name
2. Applicant's profession
3. Applicant's residence
4. Situation of applicant's place or places of business, with particular as to Number of house, Mohalla, town or village, police station and district.
5. How long the applicant has been trading in gur and khandsari ?
6. Did the applicant hold a gur or khandsari dealer's licence on any previous occasion ? (If so, give particulars including its suspension or cancellation, if any).
7. Income tax paid in the two years preceding the year of application (to be indicated separately).
 1.
 2.
8. Quantities of gur and khandsari handled annually during the last three years (November-October).
9. Quantity of gur and khandsari in the possession of the applicant on the date of the application and the places at which the different quantities are kept.

I declare that the quantities of gur and khandsari specified above are in my possession this day and are held at the place noted against them.

— Paragraph (iii) added vide G. O. No. ECA-7371/F, dated 20-7-1972.

I have carefully read with conditions of licence given in Form 'E' appended to the Maharashtra Gur and Khandsari Dealers' Licensing Order, 1963, and I agree to abide by them.

*(a) I have not previously applied for a licence in this district/ Greater Bombay under this order :

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

†*(c) I hereby apply for renewal of Licence No. dated issued to me on †

Place :

Date :

Signature of the applicant.

— Strike off the clause not applicable.

Note.—Details regarding gur and khandsari should be given separately.

†—† Added vide G. O. No. SAKHAR-2087/6490/CR-4198/CS-19, dated 29.12.1993.

FORM 'B'

[See Clause 4 (2)]

THE MAHARASHTRA GUR AND KHANDSARI DEALERS' LICENSING ORDER, 1963
 Licence for purchase, Sale or Storage of Gur and Khandsari for sale
 LICENCE No.

1. Subject to the provision of the Maharashtra Gur and Khandsari Dealers' Licensing Order, 1963 and to the terms and condition of this Licence is/are hereby authorised to purchase, sell or store gur and khandsari for sale.

‡2(a). The Licensee shall carry on the aforesaid business at the following places :—

.....

‡—‡ Substituted vide G. O. No. ECA-7178/303/682/XXIII, dated the 23rd November, 1979.

(b) The Licensee shall not store Gur or Khandsari in which the aforesaid business is to be carried on at any place other than any of the Godown mentioned below :—

.....

Note.—If the Licence intends storing his Gur and Khandsari in godowns other than these specified above, he shall give intimation of the actual occupation of any such godown within 48 hours of the actual occupation thereof and shall produce the licence for making changes by the Licensing Authority. ‡

2A. The Licensee shall not at any time hold in stock more than †500 quintals † of Gur.

3. (i) the Licensee shall maintain a register of daily account for gur and khandsari showing correctly.

- (a) the opening stock of each of the two commodities on each day;
- (b) the quantities of each commodity received on each day showing the place from where and the sources from which received;
- (c) the quantities of each commodity delivered or otherwise removed on each day showing the places of destination; and
- (d) the closing stock of each commodity on each day.

(ii) Licensee shall complete his accounts for each day on day to which they relate, unless prevented by reasonable cause the burden of providing which shall be upon him.

(iii) Seperate registers should be maintained for gur and Khandsari.

4. The Licensee shall submit to the licensing authority concerned a true return, in Form 'C' of the stocks, receipts and deliveries of each of gur and of khandsari every fortnight (1st to 15th and 16th to end of the month) so as to reach him within five days after close of the fortnight.

5. The licensee shall not contravene the provisions of the Maharashtra Gur and Khandsari Dealer's Licensing Order, 1963 or any other relating to foodstuff issued under the Essential Commodities Act, 1955 (10 of 1955).

— Inserted *vide* G. O. No. GUR 1088/6222/CR-4426/CS-XIX, dated 21st July, 1989.

†—† Substituted *vide* G. O. No. GUR 1088/6222/CR-4426/CS-XIX, dated 6.8.1992.

6. The licensee shall not contravene the provisions of any law relating to foodstuffs for the time being in force.

7. The licensee shall not—

(i) enter into any transaction involving purchase, sale or storage for sale of gur or khandsari in speculative manner prejudicial to the maintenance and easy availability of supplies of these commodities in market.

(ii) Withhold from sale supplies of the said commodities, ordinarily kept for sale and

(iii) charge in respect of sales of the said commodities made by him, a margin of profit at a rate in excess of any maximum rate of margin fixed for wholesale transactions in the said commodities by a representatives body of dealers in the said commodities if any for the locality concerned.

8. *For every sale of gur and khandsari to any customer for Rs. 25 or more, the licensee shall issue to such customer* a correct receipt or invoice, as the case may be, giving his own name, address and licence number the name, address the licence number (if any) of the customer, the date of transaction, the quantity sold, the prices per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection of demand by the licensing authority or any other officer authorised by him in this behalf.

9. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by the State Government for inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of gur and khandsari and for the taking of samples of the said commodities for examination.

10. The licensee shall comply with any direction that may be given to him by the State Government or the licensing authority in regard to purchase, sale and storage for sale of gur and khandsari in regard to the languages, in which the register, returns, receipts or invoices mentioned in paragraphs 3, 4, and 8 shall be written and the authentication and maintenance of the register mentioned in paragraph 3.

— Substituted *vide* G. O. No. 7370/36374-F, dated 27-5-1971.

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

12. This licence shall be valid up to

Date :

Signature of the Officer,
Issuing the Licence.

FORM 'C'

For Use by a Dealer

(See Condition 4 of FORM 'B')

*Returns of Stock Receipts and Sales of Gur and Khandsari
for Fortnight ending*

Name

No. of Licence

Address

Particulars of godowns where stock held and quantity in stock in each quality of gur and Khandsari in stock in lumps/bags/quintals.

Particulars of Godown	Quantity in stock lumps/bags/quintals	Remark if any
1.		
2.		
3.		

1. Stock at the beginning of the fortnight—

(a) actually with the licensee lumps/bags/quintals.

(b) pledged with any person or institution such as a bank or Co-operative Society lumps/bags/quintals.

Total lumps/bags/quintals.

2. Quantity purchased during the fortnight—

Name of the person from whom purchased	Quantity lumps/bags/quintals
(i)	
(ii)	
(iii)	
(iv)	
Total ...	

3. Quantity received out of quantity purchased—

From (Name of Person)	Quantity (in Lumps/ bags/quintals)	Date of purchase
(i)		
(ii)		
(iii)		
(iv)		
Total ...		

4. Quantity sold—

- (a) Quantity/sold and delivered/removed during the fortnight . . .
 lumps/bags/quintals.
- (b) quantity sold but not yet delivered lumps/
 bags/quintals.
- Total sold lumps/bags/quintals.

5. Stock at the end of the fortnight—

(a) actually with the licensee—

- (i) unsold lumps/bags/quintals.
- (ii) sold but awaiting delivery lumps/bags/
 quintals.

(b) pledged with any other person or institution such as bank or co-operative society lumps/bags/quintals.

Note.—Details regarding gur and khandsari should be given be seperately to the Licensing Authority.

Place : _____ District _____ Signature. _____

THE SUGAR (CONTROL) ORDER, 1966

MINISTRY OF FOOD, AGRICULTURE,
COMMUNITY DEVELOPMENT AND CO-OPERATION

(DEPARTMENT OF FOOD)

(Corrected upto 31-3-1995)

ORDER

No. G. S. R. 912-ESS, Com.-Sugar, New Delhi, Dated the 10th June 1966/20th Jyaislha 1888.

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely.—

1. *Short title, extent and commencement.*—(1) This Order may be called the Sugar (Control) Order, 1966.

(2) It extends to the whole of India.

(3) It shall come into force at once.

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

†(a) 'Bulk consumer' means a halwai, sweetmeat seller or a confectioner†

†(a-a) 'Indian Sugar Standard Grades' means the grades represented by the standard sealed samples of sugar in bottles issued by the Director National Sugar Institute, Kanpur, conforming to the standards prescribed by the Indian Standards Institution;†

— Substituted *vide* No. G.S.R.-1747-Ess, Com.-Sugar, dated 16-11-1967

†—† Sub-clause (a) regarding defination of "Indian Sugar Standard Grades" relettered as Sub-clause (aa) and Sub-clause (a) regarding defination of "bulk consumer" inserted *vide* G. S. R. No. 387-(E)-Ess. Com.-Sugar, dated 22-8-1972.

@ (b) † "producer" means a person carrying on the business of manufacturing sugar † :

✓ @ (c) † "recognised dealer" means a person carrying on the business of purchasing, selling or distributing sugar and licensed under the Order relating to licensing of sugar dealers for the time being in force in a State or Union territory. †

3. *Power to regulate production of sugar.*—The Central Government, may by order published in the Official Gazette, direct that no sugar shall be manufactured from sugarcane except under and in accordance with the conditions specified in a licence issued in this behalf, whether on payment of a fee or otherwise.

†4. *Power to restrict sale, etc., of sugar by producers.*—The Central Government may direct that no producer shall sell or agree to sell or otherwise dispose of, or deliver or agree to deliver any kind of sugar or remove and kind of sugar, from the bonded godowns of the factory in which it is produced, except under and in accordance with a direction issued in writing by the Central Government. † :

¶ Provided that this clause shall not affect the pledging of such sugar by any producer in favour of any scheduled bank as defined in clause (e) of section 2 of the Reserve Bank of India Act, 1934 (2 of 1934) or any corresponding new bank constituted under section 3 of the Banking companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970), and no such bank shall sell the sugar pledged to it except under and in accordance with a direction issued in writing by the Central Government. ¶

5. *Powers to issue directions to producers and dealers.*—The Central Government £[]£ may, from time to time, by General or special order, issue to any producer or recognised dealer, or any class of producers or recognised dealers, such directions regarding the production, maintenance of stocks, storage, sale, grading, packing, marking, weighment, disposal, delivery and distribution of †any kind of sugar‡ as it \$ []\$ may deem fit.

¶—¶ Sub-clause (a) and (b) relettered as (b) and (c) and sub-clause (a) regarding definition of "Indian Sugar Standard Grades" inserted vide G. S. R. No. 1915-Ess. Com. Sugar, dated 6-8-1989.

†—† Substituted vide G. O. No. G. S. R. No. 1747-Ess. Com. -Sugar, Dated 16-11-1967.

¶—¶ Proviso added vide GSR-25 (E)-Ess. Com. Sugar, dated 31-1-1974.

£—£ Omitted words "or the Chief Director" vide G. O. No. GSR-1747-Ess. Com. -Sugar, dated 16-11-1967.

\$—\$ Words "or he" omitted vide GSR-1747-Ess. Com. -Sugar, dated 16-11-1967.

***5A.** *Sugar attached by Government Officers etc. not to be sold without direction.*—Where any stock of sugar with any producer or recognised dealer is attached or seized,—

(i) by any officer of the Central or a State Government in accordance with the provisions of any enactment for the time being in force, or

(ii) in pursuance of any proceeding in a Civil Court, the sugar so attached or seized shall not be ordered to be sold unless the Officer or Court is satisfied that directions have been issued by the Central Government under clause 5 regarding the sale of such sugar.*

✓ **6.** *Power to regulate movement of sugar.*—The Central Government †[]† may, by general or special order, direct that no person shall transport or offer or accept for transport whether by road, rail or water all ‡for any kind of sugar‡ except under,—

(a) a General or special permit issued in this behalf;

(b) a military credit note;

Provided that nothing in this clause shall apply to the transport of sugar not exceeding one kilogram as part of the personal luggage of a *bona fide* traveller.

¶ **7.** *Power to regulate quality of sugar.*—(a) The Central Government may prescribe the quality of sugar in terms of Indian Sugar Standard Grades to which all or any kind of sugar should conform at the time of delivery in pursuance of the direction issued to a producer under clause (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 or clause 5 of this Order.¶

¶ (b) When the Central Government is of the opinion that any stock of sugar with any producer is below any of the Indian Sugar Standard Grades of sugar, it may direct the producer to reprocess the said stock with a view to conform to one or more of the Indian Sugar Standard Grades of Sugar ¶ § or to sell it only to bulk consumers for use in the manufacture of their products.§

8. # | |.#

— Inserted *vide* G. S. R. 1380, dated 17-9-1971.

†—† Word "or the Chief Director" omitted *vide* G. S. R. 1747, dated 16-11-1967.

‡—‡ Substituted *vide* G. S. R. 1747, dated 16-11-1967.

¶—¶ Inserted *vide* G. S. R. 1915, dated 6-8-1969.

§—§ Added *vide* G. S. R. 387 (E), dated 22-8-1972.

#—# Clause 8 regarding power to allot quotas of sugar omitted *vide* GSR 1747, dated 16-11-1967.

*9. *Utilisation of sugar taken delivery of in pursuance of an order under section 3 (2) (f) of the Act.*—Where any person, class of persons or organisation takes delivery of sugar from any producer in pursuance of a direction made under clause (f) of sub-section (2) of section 3 of the Act, such person, or class of persons or organisation, as the case may be, shall.—

(i) utilise the sugar so taken delivery of for the purpose or which such delivery was taken and for no other purpose ;

(ii) submit to the Chief Director within fifteen days of the utilisation of the sugar so taken delivery of a certificate to the effect that the sugar has been utilised for the purpose for which it was taken delivery of*.

10. *Power to call for information, etc.*—The Central Government †[]† or any person authorised in this behalf by the Central Government may, with a view to securing compliance with this order, or to satisfy itself †[]† that any order or direction issued under this Order is complied with,—

(a) require any producer or recognised dealer to furnish within such period or at such intervals as may be specified, such information, returns or reports and in such forms as may be required ; and

(b) prescribe the manner in which accounts of any sales, purchases or other transactions of sugar should be kept.

11. ‡[(1)]‡ *Power of inspection, entry, search, sampling, seizure, etc.*—¶[]¶ Any officer authorised by the Central Government in this behalf may—

(a) direct any producer or recognised dealer to maintain such records as he may specify ;

(b) direct any producer or recognised dealer to furnish such information as he may require ;

(c) inspect or authorise any person to inspect any books or any documents or stocks of sugar belonging to or under the control of a producer or a recognised dealer ;

— Substituted vide GSR 1747-Ess. Com.-Sugar, dated 16-11-67.

†—† Word " or the Chief Director " and " or himself " omitted vide GSR 1747-Ess. Com.-Sugar, dated 16-11-67.

‡—‡ Sub-clause (1) of clause 11 renumbered vide GSR 1747, dated 16-11-1967.

¶—¶ Words " the Chief Director " omitted vide GSR 1747, dated 16-11-1967.

(d) enter and search or authorise any person to enter and search.

(i) any place where sugar is manufactured including the machinery installed therein ;

(ii) any place in which there is reason to believe that sugar is stored in contravention of this Order ;

(e) draw or authorise any person to draw, in accordance with the procedure laid down in clause 12, samples for examination.—

(i) from any stock of sugar belonging to, or under the control of a producer or recognised dealer ;

(ii) from any consignment of sugar in the course of its delivery or despatch by a producer ;

(f) stop and search or authorise any person to stop and search.—

(i) any person transporting sugar, or

(ii) any vehicle, vessel or other conveyance used or capable of being used for the transport of sugar, khandsari in contravention of this Order ;

(g) seize or authorise the seizure of any sugar in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed, along with the packages, coverings, or receptacles in which sugar is found or the animals, vehicles, vessels, or other conveyances used in carrying such sugar and thereafter take or authorise the taking of all measures necessary for securing the production of such packages, coverings, receptacles, animals, vehicles or other conveyances in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

12. Procedure for drawing samples.—†(1)† Subject to the provisions of sub-clause (2) of clause 11, the person drawing the samples shall follow the procedure as hereunder :—

‡(a)‡ The sample shall be drawn in the presence of a producer or recognised dealer as the case may be, or a representative of the producer or recognised dealer ;

— Inserted *vide* GSR 1747-Ess. Com.- Sugar, dated 16-11-1967.

†—† Sub-clause (1) renumbered *vide* GSR 1266, dated 7-9-1971.

‡—‡ Items (1), (2), (3) and (4) relettered as items (a), (b), (c) and (d) *vide* GSR 100, dated 27-12-1971.

(b) A separate sample shall be drawn from each lot consisting of sugar bags declared by the producer or recognised dealer to have the same grade of sugar ;

(c) The sample drawn shall be divided into three portions and each portion shall be put in a separate container which shall be sealed both by the person drawing the sample and the producer or recognised dealer, as the case may be, or his representative with their respective seals and shall also be signed by both ;

(d) Two such portions shall be forwarded to the Directorate of Sugar and Vanaspati and the third shall be left with the producer or recognised dealer, as the case may be, or his representative.

†(2) Out of two sealed portions of the sugar sample received in the Directorate of Sugar and Vanspati under sub-clause (1), one sealed portion shall be examined by the Garding Committee to determine its quality with reference to the Indian Sugar Standard grades in force for the year in which the sugar was manufactured. If the grade of the said portion of the sugar sample is found by the Garding Committee to be lower than the grade declared by the producer or recognised dealer, as the case may be, the Directorate of Sugar and Vanaspati shall forward the other sealed portion of the sugar sample as received to the National Sugar Institute, Kanpur for determining its grade and the grade determined by the said Institute shall not be called in question†.

‡(3) For the purposes of sub-clause (2), "Grading Committee" means the committee consisting of five group "A" Officers of the Directorate of Sugar, appointed by the Chief Directorate, to grade samples of Sugar. A majority of the members of the committee so appointed shall be required to constitute a quorum for meeting of the Committee‡.

¶13. *Certificate regarding samples drawn, etc.*— A certificate to the effect that each of the samples drawn is representative of the lot from which it was drawn shall be furnished along with the particulars of the samples, in the form set out in the Schedule hereto annexed, to the person drawing such samples by the producer or recognised dealer, as

— Items (1), (2), (3) and (4) relettered as items (a), (b), (c) and (d) by GSR 100, dated 27-12-1971.

†—† Inserted by G. S. R. 1266, dated 7-9-1971.

‡—‡ Substituted by G.S. R. 596 (c), dated 30-8-77.

¶—¶ Substituted by G. S. R. 1193, dated 1-8-1966.

the case may be, or his representative and such certificate shall be countersigned by the person drawing the samples and an endorsement to the effect that the procedure prescribed under clause 12 has been followed shall be made thereunder by the person drawing the samples and such endorsement shall be countersigned by the producer or recognised dealer, as the case may be, or his representative ¶.

14. Compliance of orders.—Every producer or recognised dealer or other person to whom any order or direction is issued under any powers conferred by or under this Order, shall comply with such order or direction.

15. Delegation of powers.—The Central Government may, by notification, in the Official Gazette, direct that all or any powers conferred upon it by this Order, shall, subject to such restrictions, exceptions and conditions, if any, as may be specified in the direction, be exercisable also by—

(a) any officer or authority of the Central Government ;

(b) a State Government or any officer or authority of a State Government.

16. † [] †

17. Repeal and Saving.—(1) The Sugar (Control) Order, 1955 and any order made by the Central Government or a State Government or any authority regulating or prohibiting the production, supply and distribution of sugar and trade or commerce therein are hereby repealed except as respects things done or omitted to be done under any such order before the commencement of this Order.

(2) Notwithstanding such repeal an order made by any authority which is in force immediately before the commencement of this order and which is consistent with this Order, shall continue in force and all appointments made, prices fixed, licences and permits granted, and directions issued under any such Order and in force immediately before such commencement shall likewise continue in force and be deemed to be made, fixed, granted or issued in pursuance of this Order.

†—† Clause 16 regarding 'Forfeiture of stock of sugar' omitted by GSR-1747, dated 16-11-1967.

***SCHEDULE**

(See clause 13)

1. (1) Certificate :

This is to certify that Shri
 (here enter designation), Directorate of Sugar and Vanaspati, Ministry
 of Food, Agriculture, Community Development and Co-operation,
 Government of India has drawn in my presence, a sample in triplicate
 from the consignment of sugar under despatch, as per particulars
 given below. The sample is truly representative of the lot from which
 it is drawn and each of the three portions has been properly packed and
 sealed with my seal and the official seal of the Inspecting Officer and has
 also been signed by me and the drawing officer. Of the three portions
 of the sample, one has been retained by us.

Counter Signature of the Officer
 Drawing the sample.

Signature of the producer
 Recognised dealer/
 accredited representative.

Designation

Designation

(2) The Sample has been drawn in accordance with the procedure
 prescribed under clause 12 of the Sugar (Control) Order, 1966.

Counter Signature of the Producer/
 Recognised Dealer/Accredited
 Representative.

Signature of the Officer,
 Drawing the sample.

Designation
 Dated

Designation
 Dated

Forwarded to the Directorate of Sugar and Vanaspati, Ministry of
 Food, Agriculture, Community Development and Co-operation, New
 Delhi, alongwith the two samples of sugar referred to above out of the
 triplicate samples drawn from consignment under despatch.

Signature of the Officer drawing sample.*

— Substituted by GSR-1193-Ess, Com.-Sugar, dated 1-8-1966.

II. Particulars of Sugar sample drawn from consignment under despatch from Messers

Drawing Officers sample number	Date of drawing sample	Wagon Truck No. in which sugar loaded and from which sample drawn	No. of bags loaded	Factory's Godown and Lot No. from which sugar loaded	Relevant excise Gate No. and Date	Name and address of the Consignor to whom sugar booked	Destination Station.	Season of production of Sugar	Grade Mark declared by the Factory	Government Releases Order No. and date against which sugar despatched
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

III. Impression of the seals used for (a) Producer/Recognised dealer or his representative. (b) Official seal of the Officer taking the sample.

To

The Chief Director,
Directorate of Sugar and Vanaspati
Ministry of Food, Agriculture, Community Development and Co-operation
(Department of Food),
Jammagar House, New Delhi-11.

Note.—1. All the bags in a single consignment declared to contain sugar of one grade shall constitute a lot. If a consignment is declared to consist of different grades, the bags of each grade shall constitute separate lot.

2. One form should be used to cover the sugar bags loaded in one wagon, truck etc.

(Signed) K. L. PASRICHA
Joint Secretary.

MINISTRY OF FOOD AND CIVIL SUPPLIES

(DEPARTMENT OF FOOD)

New Delhi, dated the 16th April, 1987

NOTIFICATION

G. S. R. 106 (E)-Ess. Com.-Sugar.—In exercise of the powers conferred by clause 15 of the Sugar (Control) Order, 1966 and in supersession of the notification of the Government of India in the late Ministry of Agriculture (Department of Food) No. G. S. R. 213 E/Ess. Com./Sugar, dated the 28th March, 1972, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 28th March, 1972 except as respects things done or omitted to be done before such supersession, the Central Government hereby directs that the powers conferred on it by clause 11 of the said Order shall be exercisable also by the officers mentioned in column (1) of the Table below within the areas specified in the corresponding entry in column (2) of the said table.

TABLE

(1)	(2)
(i) All District Magistrates, Deputy Commissioner and Collectors of Districts in the States.	The local limits within which they exercise jurisdiction.
(ii) All Sub-Divisional Magistrates.	The local limits within which they exercise jurisdiction.
(B) (vi) (a) All Police officers not below the rank of Sub-Inspector in the State of Maharashtra.	Within their respective jurisdiction.
(b) All Revenue Officers, not below the rank of Aval Karkun, or holding any Office which is recognised by the State Government as not lower in rank than that of such Karkun and in the Offices of the District Supply Officers and Foodgrains Distribution Officers, not below the rank of Supply Inspector, in the State of Maharashtra.	The local limits within which they exercise jurisdiction.

TABLE—Contd.

(1)	(2)
(c) All Officers of the Rationing Organisation in the Rationing Areas not below the rank of Rationing Inspectors.	The local limits within which they exercise jurisdiction.
(d) All Officers in the Office of the Supply Commissioner, Bombay.	Greater Bombay.

[No. 1-4/87/-SPY (D.II)]

(Sd.) V. LAKSHMI RATAN,
Joint Secretary (Sugar).

By order and in the name of the Governor of Maharashtra.

B. S. RAJADHAYAKSHA,
Under Secretary to Government.

MINISTRY OF FOOD

ORDER

New Delhi, dated the 7th January 1994

G. S. R. 9(E)-Ess. Com.-Sugar.—In exercise of the powers conferred by clause 5 of the Sugar (Control) Order, 1966 and in supersession of the Orders of the Government of India in the then Ministry of Food and Civil Supplies (Department of Food) No. G. S. R. 220 (E)-Ess. Com.-Sugar, dated the 18th April, 1991 and in the Ministry of Food No. G. S. R. 703 (E)-Ess. Com.-Sugar, dated the 27th November, 1991 and No. G. S. R. 501 (E)-Ess. Com.-Sugar, dated the 8th July, 1993.

the Central Government hereby directs that no recognised dealer shall hold any stock of vacuum pan sugar or khandsari (open pan sugar) for a period exceeding seven days from the date of receipt by him of such stock and shall not keep in stock at any time—

(1) Vacuum pan sugar, in the places mentioned below, in excess of the quantities mentioned against each,—

- | | | |
|---|----|-----------------|
| (i) in Calcutta and extended area : | | |
| (a) recognised dealers who import sugar from outside West Bengal. | .. | 3,500 Quintals; |
| (b) Other recognised dealers | .. | 250 Quintals; |
| (ii) in other places : | | |
| (a) in cities and towns with a population of one lakh or more. | .. | 250 Quintals; |
| (b) in other towns and areas with a population of less than one lakh. | .. | 125 Quintals; |

(2) Khandsari (open pan sugar) in excess of 250 quintals :

Provided that nothing in this Order shall apply to the holding or keeping of stock of sugar or Khandsari—

(i) on Government account; or

(ii) by the recognised dealers nominated by a State Government or an Officer authorised by it to hold stock for distribution through fair price shops; or

(iii) by the Food Corporation of India :

Provided further that the State Governments or Union Territory Administrations are authorised to fix a lower stock limit in the case of recognised dealers dealing in retail trade.

EXPLANATION.—For the purpose of this Order—

1. "Calcutta and extended area" means the areas specified in the Schedule to the notification of the Government of West Bengal No. 7752 FS/F. S./14 R 92/61, dated the 16th December, 1964.

2. For counting the period of holding of the stock, the date on which any stock is received by the recognised dealers shall be included.

2. This order shall come into force at once.

[No. 1-3/92-SPY (D.II)]

(Sd.) S. K. TRIPATHI,
Joint Secretary (Sugar).

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

V. D. SURVE,
Deputy Secretary,
Food and Civil Supplies Department.

MINISTRY OF FOOD

New Delhi, dated the 7th April 1995

NOTIFICATION

G. S. R. 338(E).—In exercise of the powers conferred by clause 5 of the Sugar (Control) Order, 1966 and in supersession of Government of India in the Ministry of Food Order No. G. S. R. 377 (E), dated the 11th April, 1994, the Central Government hereby directs that no recognised dealer shall hold any stock of vacuum pan sugar or khandsari (open pan sugar) for a period exceeding fifteen days from the date of receipt by him of such stock and shall not keep in stock at any time—

(1) Vacuum pan sugar, in the places mentioned below, in excess of the quantities mentioned against each,—

(i) in Calcutta and extended area :

(a) recognised dealers who import .. 3,500 Quintals;
sugar from outside West Bengal.

(b) Other recognised dealers .. 500 Quintals;

(ii) in other places :

(a) in cities and towns with a popula .. 500 Quintals;
tion of one lakh or more.

(b) in other towns and areas with .. 250 Quintals;
a population of less than one lakh.

(2) Khandsari (open pan sugar) in excess of 500 quintals.

Provided that nothing in this Notification shall apply to the holding or keeping of stock of sugar or Khandsari—

(i) on Government account; or

(ii) by the recognised dealers nominated by a State Government or an officer authorised by it to hold stock for distribution through fair price shops; or

(iii) by the Food Corporation of India :

Provided further that the aforesaid stock holding limit/turn over period of stocks will not apply to sugar imported under Open General Licence.

Further in exercise of the powers conferred by clause 15 of the said Order, the Central government directs that the State Governments or Union Territory Administrations are authorised to fix a lower stock limit in the case of recognised dealers dealing in retail trade.

EXPLANATION.—For the purpose of this Notification—

1. "Calcutta and extended area" the areas specified in the Schedule to the notification of the Government of West Bengal No. 7752 FS/F. 5/14 R 92/61, dated the 16th December, 1964.

2. For counting the period of holding of the stock, the date on which any stock is received by the recognised dealers shall be included.

2. This notification shall come into force at once.

(Sd.) S. K. TRIPATHI,
Joint Secretary to the Govt. of India

[No. 1-3/92-SPY(DIII)]

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

C. R. VIPRADAS,
Joint Secretary to Government.

THE GUR (REGULATION OF USE) ORDER, 1968
 MINISTRY OF FOOD, AGRICULTURE, COMMUNITY
 DEVELOPMENT AND CO-OPERATION

(DEPARTMENT OF FOOD)

New Delhi, the 3rd April, 1968, 14th Chaitra, 1890

(Corrected Up to 31.3.1995)

ORDER

No. G. S. R. 685-Ess. Com.-Gur.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely :—

1. *Short title and commencement.*—(1) This Order may be called the Gur (Regulation of Use) Order, 1968.

(2) It shall come into force at once.

*2. *Definition.*—*In this Order, 'Gur' means the article known as a gur, gul Jaggery, shakkar, rab and other intermediary products, prepared by boiling sugarcane juice with or without admixture of molasses, which is identifiable by the following chemical characteristics, namely :—

(i) total sugars (sucrose plus reducing sugars) as percentage of dissolved solids ranging from 70.0 to 95.0 ; and

(ii) ash (sulphated) as percentage of dissolved solids ranging from 1.5 to 5.0 ; and

includes a solution of any of the aforesaid articles in water*.

3. *Regulation of use of gur.*—No person shall use gur for any purpose other than for the purpose of—

(a) consumption in the form of gur ; or

(b) preparation of any article (not being alcoholic liquor) used as food or drink † or medicine † for human consumption ; or

(c) cattlefeed :

‡Provided that the Central Government or any officer authorised by it in this behalf, may, by order in writing, permit the use of gur for the following purposes, namely :—

(i) use in tobacco industry ;

(ii) use in leather tanning industry ;

— Substituted *vide* G. S. R. No. 970, dated 26th June 1970.

†—† Inserted *vide* G. S. R. No. 994, dated 23rd May 1968.

‡—‡ Substituted *vide* G. S. R. No. 579, dated 30th March 1970.

- (iii) use in chemical industry ;
- (iv) any other industrial use.†

4. *Power to enter, search, seize etc.*—(1) Any officer authorised by the Central Government in this behalf may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

(i) stop and search or authorise any person to stop and search any person, boat, motor or any vehicle or receptacle used or intended to be used for the utilization of gur other than for the purpose mentioned in clause 3 ;

(ii) enter and search or authorise any person to enter and search any place or premises ;

(iii) seize or authorise the seizure of gur in respect of which he suspects that the provisions of clause 3 has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such gur is found or the animals, vehicles, vessels, boats or other conveyances used in carrying such gur and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or other conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizure under this clause.

*5. *Power to call for information etc.*—The Central Government or any officer authorised by it in this behalf may, with a view to securing compliance with this Order or to satisfying itself or himself that this Order is being complied with,—

(a) require any person, who in its or his opinion is likely to use gur for a purpose not permitted under clause 3, to furnish within such period and in such form or at such intervals as may be specified, such information, returns or reports in respect of raw materials used ; and

(b) prescribe the manner in which accounts of any stocks or purchases or sales of raw materials should be kept*.

(No. 9-2/68-SCI)

(Sd.) K. L. PASRICHA,
Joint Secretary.

— Inserted *vide* G. S. R. 994, dated 23rd May 1968.

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY
DEVELOPMENT AND CO-OPERATION

DEPARTMENT OF FOOD

New Delhi, the 30th December, 1968/ 9th Pausa, 1890

NOTIFICATION

G. S. R. 2243-Ess. Com.-Gur.—In exercise of the powers conferred by clause 4 of the Gur (Regulation of Use) Order, 1968, the Central Government hereby authorises the officers mentioned in column (1) below to exercise the powers conferred under the said clause within the areas mentioned respectively against their names in column (2), and makes the following further amendments to the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. G. S. R. 993/ Ess. Com./Gur, dated the 23rd May, 1968, namely :—

In the said notification,—

after item (XXII) and the entries relating thereto, the following items and entries shall be inserted, namely :—

(1)	(2)
* (xxiii) Officers of the Police and Prohibition and Excise Departments not below the rank of Sub-Inspectors in the State of Maharashtra.	Within their respective jurisdiction in the State of Maharashtra.
(xxiv) (a) District Supply Officers in the State of Rajasthan.	Within their respective jurisdiction in the State of Rajasthan.
(b) District Excise Officers in the State of Rajasthan.	Within their respective jurisdiction in the State of Rajasthan.

[2-2/68-SCL]

K. L. PASRICHA,
Joint Secretary.

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

S. P. MONDKAR,
Deputy Secretary to Government.

THE SUGAR (PACKING AND MARKING) ORDER, 1970

MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT
AND CO-OPERATION

DEPARTMENT OF FOOD

New Delhi, the 14th April, 1970/Chaitra, 1892

(Corrected up to 31.3.1995)

ORDER

No. G. S. R. 645-Ess. Com.-Sugar.—In exercise of the powers conferred by clause 5 of the Sugar (Control) Order, 1966 and in supersession of the Order of the Government of India in the late Ministry of Food and Agriculture (Department of Food) No. G. S. R. 718/Ess. /Com./Sugar, dated the 20th May 1961, the Central Government hereby makes the following order, namely :—

1. *Short title and commencement.*—(1) This Order may be called the Sugar (Packing and Marking) Order, 1970.

(2) It shall come into force at once.

2. *Packing of Sugar.*—Unless otherwise permitted by the Central Government a producer shall pack all sugar manufactured by vacuum pan process in new 'A' Twill Jute bags, conforming to Indian Standard Specification IS : 1943-64, read with Amendment No. 1 thereof. Each bag shall be 112 cm. long and 67.5 cm. wide and shall weigh 1190 grams.

The mouth of each bag shall be either machine stitched or hand stitched. If hand-stitched the stitches shall be in two rows with at least 14 stitches in each row.

3. *Quantity of Sugar to be packed in each bag.*—Each bag of sugar shall contain 100 kilograms of sugar net.

4. *Marking on bags.*—(1) Every producer shall at the time packing mark on the bag in which the sugar is packed, its quality in terms of Indian Sugar Standards in force at that time and shall ensure that the quality of sugar contained in the bag corresponds to the quality of sugar marked thereon until it is sold and delivered by him.

— Added vide G. S. R. No. 1418, dated 21st September 1971.

(2) Every bag of sugar shall bear on it, a label, the design or which is set out in the Schedule annexed to this Order specifying the following matters, namely :—

(i) the quantitative contents of the bag :

(ii) the quality of sugar contained therein :

* Provided that in case of sugar not conforming to Indian Sugar Standard Grade, the label on the bag shall instead of the Mark " ISS " bear the Mark " ON-I.S. S. GRADE " *

(iii) the year in which the sugar is manufactured and packed :

†(iv) Process of manufacture-sulphitation or carbonation†.

Explanation I.—For the purposes of this sub-clause, " year " means the year beginning with the 1st day of October and ending with the 30th day of September next following.

Explanation II.—In the case of sugar obtained from the re-processing of—

‡(1) damaged sugar or defective sugar or rori or brown sugar of any previous season, the marking on the bag shall indicate the year in which the sugar was reprocessed ‡;

(2) sugar-house products left in process at the end of any previous year and not already included in the production of that year, the marking on the bag shall indicate the year in which it was reprocess;

(iv) the name of the place where the producer carries on the business of manufacturing sugar by vacuum pan process :

Provided that each bag containing sugar manufactured at the vacuum pan sugar factories specified in column (1) of Table below shall also bear the name of the place of manufacture and the words specified in the corresponding entries in columns (2), (3) thereof respectively.

TABLE

Name of the Factory	Name of the place of manufacture	Additional words.
(1)	(2)	(3)
1. Sivakami Sugars Ltd, Tanuku, District West Godavari (A.P.).	TANUKU	(SIVAKAMI)

— Inserted *vide* G. S. R. 386 (E), dated 22nd August 1972.

†—† Inserted *vide* G. S. R. 511 (E), dated 29th November 1973.

‡—‡ Substituted *vide* G. S. R. 654-Ess. Com.-Sugar, dated 27th April 1971.

TABLE—Contd.

(1)	(2)	(3)
2. The Nizam Sugar Factory Ltd., Shakarnagar (A. P.), Factory No. I.	SHAKARNAGAR	(NSF. II)
3. The Nizam Sugar Factory Ltd., Shakarnagar (A. P.), Factory No. II.	SHAKARNAGAR	(NSF. II)
4. The Andhra Sugar Ltd., Tanuku (A. P.).	TANUKU	(ANDHRA)
5. Sitalpore Sugar Works Ltd., Garaul (Bihar).	GARAUL	(SITALPORE)
6. S. K. G. Sugar Ltd., Siwan, District-Saran (Bihar.).	SIWAN	(SAVAN (SKG))
7. The Malegaon Sahakari Sakhar Karkhana Ltd., Sivnagar, Baramati (Maharashtra).	MALEGAON	(POONA)
8. Shriram Sahakari Sakhar Kharkhana Ltd., Phaltan, (Maharashtra).	PHALTAN	(SHRIRAM)
9. Godawari Sugar Mills Ltd., Laxmiwadi (Maharashtra).	LAKSHMIWADI	(GSM)
10. Godawari Sugar Mills Ltd., Sakharwadi (Maharashtra).	SAKHARWADI	(GSM)
11. The Phaltan Sugar Works Ltd., Sakharwadi (Maharashtra).	SAKHARWADI	(PHALTAN)
12. The Mysore Sugar Company Ltd., Mandya (Mysore).	MANDYA	(MYSORE)
13. Nawabganj Sugar Mills Company LTD., NAWABGANJ (U. P.).	NAWABGANJ	(GONDA)
14. The Ganga Sugar Corporation, Ramkola (U. P.).	RAMKOLA	(GANGA)
15. Maheshwari Khetan Sugar Mills Pvt. Ltd., Ramkola (U. P.).	RAMKOLA	(MK)