



**THE MAHARASHTRA FOODGRAIN DEALERS' LICENSING  
ORDER, 1963**

FOOD AND CIVIL SUPPLIES DEPARTMENT

No. FDL 1063/988-SI, Bombay 9th February, 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 notification of the Government of India in the Ministry of Food and Agriculture (Department of Food) published under G. S. R. 888, dated the 28th June 1961, in the Gazette of India, Part-II, section 3, sub-section (i), dated the 8th July 1961, and in supersession of the Bombay Foodgrains Dealers' Licensing Order, 1958, 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 the Maharashtra Foodgrains Dealers' Licensing Order, 1963.

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

(3) It shall come into force on 1st October 1963.

2. *Definitions.*—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 any one or more of the foodgrains in quantity of \*50 quintals\* or more at any one time.

(b) "foodgrains" means any one or more of the foodgrains specified in Schedule to this Order including products of such foodgrains other than husk and bran; \*\*and also includes seeds of such foodgrains which are certified or truthfully labelled under the provisions of the Seeds Act, 1966 (LIV of 1966), and the rules made thereunder.\*\*

(c) "Form" means a form set forth in Schedule II to this Order ;

(d) "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 ;

†(da) "Monthly grinding capacity" means daily grinding capacity of a Roller Flour Mill multiplied by 25 days.†

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\*—\*Substituted *vide* G. O. No. FDL 1077/497-XXIII, dated 23rd June 1977.

\*\*—\*\*Added *vide* G. O. No. FDL 1074/XXIII, dated 14th June 1976.

†—†Inserted *vide* G. O. No. FDO 2589/1014/(3356)/XXIII, dated 6th May 1989.

(e) " State Government " means the Government of the State of Maharashtra :

@(f) " retail dealer " means a dealer who is not a wholesale dealer. @

§(fa) " Roller Flour Mill " means a flour mill in which disintegration of wheat is done by grooved steel or iron rollers worked by power. §

@(g) " wholesale dealer " means a dealer who sells foodgrains in quantities of 100 quintals or more at any one time to other dealers or other persons, and includes a commission agent or a sub-wholesaler, who holds stocks of foodgrains for such sales in the conduct of his business. @

£(h) " rice mill " means the plant and machinery with which and the premises, including the precincts thereof, in which or in part of which, rice milling operation is carried on. £

**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 :

Provided that commission agents, who act only on behalf of wholesalers or producers on commission but do not actually hold any stocks in the conduct of their business, shall not be required to take out a licence.

(2) For the purpose of this clause, any person who stores, any one or more of the foodgrains in quantity of \*50 quintals\* or more at any one time, shall unless the contrary is proved, be deemed to store the foodgrains for the purposes of sale;

†(3) No person, whether he is a holder of a licence under the order or not, shall, except under and in accordance with the terms and conditions of the permit obtained from and issued by the licensing authority in this behalf, engage in the business of sale or storage for sale of any contaminated or damaged foodgrains which are unfit for human consumption. †

**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 ".

@—@ Substituted *vide* G. O. No. FDL 1074/F, dated 25th April 1974.

§—§ Inserted *vide* G. O. No. FDL 2589/1014/(3356)/XXIII dated 6th May 1989.

£—£ Inserted *vide* G. O. No. FDL 2591/353/(3998)/XXII, dated 20th May 1992.

\*—\* Substituted *vide* G. O. No. FDL 1077/497/XXIII, dated 23rd June 1977.

†—† Added *vide* G. O. No. FDL 1078/681/(683)/XXIII, dated 11th August 1981.

#—# Inserted *vide* G. O. No. FDL 2590/1328/(3728)/XXIII, dated 29th December 1993.

**5. Period of the licence and fees 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.\*

\*\* (1A) (a) Every licensee shall who desires to get his licence renewed shall apply for the renewal thereof before the date of expiry of this 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 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 timelimit after the expiry of its validity, subject to clause 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 timelimit under sub-clause (a) 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 specified below shall be chargeable in respect of each licence, namely :—

	Rs.
For issue of Licence . . . . .	100
For renewal of Licence . . . . .	30
For issue of duplicate Licence . . . . .	10*

\*—\*Substituted vide G. O. No. FDL 2590/1328/(3728)/XXIII, dated 29th December 1993.

\*\*—\*\*Inserted vide G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

(3) A separate licence shall be obtained by a dealer for each place of business.

**\*5A. Deposit of Security.**—Every person applying for licence shall, before the licence is issued to him, deposit with the licensing authority a sum of Rs. 300 as security deposit for the due performance of the conditions of the licence.\*

**6. Power to refuse licence.**—The licensing authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant<sup>+</sup> or renew<sup>+</sup> a licence.

\*\*6—A\*\*

+6—B+

+6—C+

+6—D+

**7. Contravention of conditions of licence.**—##(1)## No holder of a licence issued under this Order or his agent or servant or any other 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 other 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 stating his case against the proposed cancellation or suspension.

##(2) Where a licence is cancelled or suspended and the dealers has a stock of any foodgrain, the licensing authority may in the interest of equitable disposal of foodgrains, give directions for disposal of such stocks ; and the dealer shall comply with such directions##.

\*—\*Substituted *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

@—@Inserted *vide* G. O. No. FDL 2590/1328/(3728)/XXIII/dated, 29th December 1993.

\*\*—\*\*Provision regarding " Maximum stock of wheat to be stored by licenced Roller Flour Mills " omitted *vide* G. O. No. FDL-21941/891/CR/33/CS-XXII, dated 3rd January 1995.

+—+Provisions in clause 6-B, 6-C and 6-D regarding " maximum stocks of rice to be stored by rice mill, maximum limit for holding stocks of foodgrains by wholesale dealer and restrictions on transactions of sale by a licenced holder " deleted *vide* G. O. No. FDL-2192/2119/(5024)/XXII, dated 20th January 1993.

#—#Inserted and clause 7 renumbered *vide* G. O. No. FDL 1074/34525/DXXIII, dated 13th April 1976.

**7-A. Forfeiture of security deposit.**—(1) Without prejudice to the provisions of clause 7, if the Licensing Authority is satisfied that the licensee has contravened any or all of the condition Nos. 3, 4, 9 and 10 so far as it relates 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 3 of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by orders, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the licensee :

Provided, where a cancellation of the licence is duly ordered by the Licensing Authority, it shall also be accompanied by an order forfeiting the entire deposit.

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

(3) Upon the 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.

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

**8. Appeal.**—(1) Any person aggrieved by any order of the licensing authority refusing to grant a licence \*\*or renew a licence\*\* or cancelling or suspending a licence or directing disposal of any foodgrains 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.

\*—\*Inserted by G. O. No. FDL-1076/23790/XXIII, dated 18th August 1976.

\*\*—\*\*Inserted *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

(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 or the order directing disposal of the stock of any foodgrains shall not take effect until the appeal is disposed of.

**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 book account 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 reason to believe that any contravention of the provisions of this Order or 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 contraventions which are produced before him ;

(d) search, seize and remove stocks of foodgrains and the animals, vehicles, vessels or other conveyances used in carrying the said foodgrains in contravention of the provisions of this Order, or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodgrains and animals, vehicles, vessels or other conveyances to seize 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 (V of 1898), relating to search and seizure shall, so far as may be, apply to search and seizure under this clause.

10. *Savings.*—\*Notwithstanding the supersession of the Bombay Foodgrains Dealers' Licensing Order, 1958, by this Order, any licence granted under that Order and valid on the date \*immediately preceding the date on which this Order comes into force shall be deemed to be a licence granted under this Order.

11.  $\bar{V}-\bar{V}$

#### SCHEDULE 1

[ See clause 2 (b) ]

1. \$Wheat.
2. Paddy (Rice-in-husk).
3. Rice (Husked).
4. Jowar.
5. Bajri.
6. \*
7. †
8. ‡
9. £
10. Milo
11. Sorghum.

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†—† "Barley" deleted *vide* G. O. No. FDL-1070-F, dated 14th May 1970.

$\bar{V}-\bar{V}$  Provision regarding fresh licence in clause 11 deleted *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

\$—\$ Inserted *vide* G. O. No. MIS-2387/1755/(2666)/23, dated 10th June 1988.

\*—\* "Maize" deleted *vide* G. O. No. FDL-1069-F, dated 14th February 1969.

†—† "Minor Millets" deleted *vide* G. O. No. FDL-1068-F, dated 18th February 1969.

£—£ "Gram" deleted *vide* G. O. No. FDL-1068/10339-F, dated 31st July 1968.



**SCHEDULE II**  
**(FORM 'A')**

[ See clause 4 (1) ]

**THE MAHARASHTRA FOODGRAINS DEALERS'**  
**LICENSING ORDER, 1963**

*Application for grant \$ or renewal \$ of 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 has the applicant been trading in foodgrains ?
- \*5-A. Whether the applicant possesses trade or any other licence, from the Municipal Corporation / Municipal Council / Zilla Parishad/ Panchayat Samiti / Village Panchayat or any other local authority and if so, give its number and date of issue\*
6. Did the applicant hold a foodgrains licence on any previous occasion ? (If so, give particulars, including its suspension or cancellation, if any).

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\$—\$Inserted *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

\*—\*Item 5-A. Inserted *vide* G. O. No. FDL-1074/17136-F, dated 29th November 1974.

7. Quantities of each foodgrains handled annually during the last three years.
8. Quantity of foodgrains likely to be handled during the current year.
9. Income tax paid in the two years preceding the year of application (to be indicated separately)—
  - (1) .....
  - (2) .....
10. Quantity of foodgrains in the possession of the applicant on the date of application and places at which the different quantities are kept (separate figures are to be given for each foodgrains).

I declare that the quantities of foodgrains 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 Foodgrains Dealers' Licensing Order, 1963, and I agree to abide by them.

\*(a) I have not previously applied for such licence in this district for foodgrains.

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

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\*—\*Strike off the clauses not applicable.

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

Place : .....

Date : .....

Signature of the applicant.

\*—\*Added *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

FORM " B "

[ See Clause 4 (2) ]

THE MAHARASHTRA FOODGRAINS DEALERS'  
LICENSING ORDER, 1963

*Licence for purchase/sale/storage for sale of foodgrains*

Licence No. ....

1. Subject to the provisions of the Maharashtra Foodgrains Dealers' Licensing Order, 1963, and to the terms and conditions of this licence ..... is/are hereby authorised to purchase, or store for sale, the undermentioned foodgrains in quantity of ..... quintals or more :—

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

(b) The Licensee shall not store foodgrains 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 foodgrains 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.

3. (i) The licensee shall, except when specially exempted by the State Government or by the Licensing Authority in this behalf, maintain a register of daily accounts for each of the foodgrains mentioned in paragraph 1, showing correctly.—

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

(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) A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account, if such stocks are stored in his business premises.

4. (i) The licensee, if he is a wholesaler, shall, except when specially exempted by the State Government or by an officer authorised by the State Government in this behalf, submit to the licensing authority concerned a true return in Form "C" of the stocks, receipts and deliveries of each of the foodgrains every fortnight (1st to 15th and 16th to the end of the month), showing also the average price of purchase and sale of each of the foodgrains during the fortnight and his margin in respect of the stocks of each of foodgrains sold during fortnight, so as to reach him within three days after the close of the fortnight.

(ii) The licensee, if he is a retailer, shall, except when specially exempted by the State Government or by an Officer authorised by the State Government in this behalf submit to the Licensing Authority concerned a true return in Form C(1) of the stocks, receipts and deliveries of each of the foodgrains \* every fortnight (1st to 15th and 16th to the end of the month), so as to reach him within three days of the close of the fortnight.\*

\*—\*Substituted vide G. O. No. FDL-1072/27045-F, dated 15th November 1972.

5. The licensee shall not contravene the provisions of the Foodgrains Dealers' Licensing Order, 1963, or any other order relating to foodstuffs issued under the Essential Commodities Act, 1955 (10 of 1955).

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 foodgrains in a speculative manner prejudicial to the maintenance and easy availability of supplies of foodgrains in the market ;

(ii) withhold from sale supplies of foodgrains ordinarily kept for sale ; or

(iii) charge, in respect of sales of foodgrains made by him a margin of profit—

(a) Where a margin of profit is fixed by Government under the Essential Commodities Act, 1955 (10 of 1955) or under the Defence of India Rules, 1962 or by or under any other law for the time being in force, in excess of the margin so fixed, and

(b) in other cases in excess of the rate prevailing in the market at the time of sale or at the rate in excess of any maximum rate fixed for wholesale or retail transactions, in foodgrains, as the case may be, by the State or Central Government, for the locality, district or State as a whole.

**\*7-A.** The licensee, if he is a wholesaler, shall ordinarily sell foodgrains to other wholesalers and to the retailers (including himself, if he also sells in retail). He may also sell foodgrains direct to consumers at wholesale rates in quantities of a bag or more. He shall maintain accounts of all such sales to wholesalers or retailers or consumers in separate registers and produce the registers and cash memos for inspection before the licensing Authority or an Officer authorised by him in this behalf on demand.\*

**7-B.** The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of foodgrains 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 foodgrains.

\*—\*Substituted *vide* G. O. No. FDL-1069/21467-F, dated 13th October 1969.

8. †For every sale of foodgrains to any customer, for 3 kilograms 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 and 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 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 him or the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sales or purchase of foodgrains and for taking of samples of foodgrains for examination.

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

‡10-A. The licensee shall take adequate measures to ensure that the foodgrains stored by him are maintained in good condition and that damage to them due to ground moisture, rain, insects, rodents, birds, fire and such other causes is avoided. Suitable dunnage shall be used where necessary to avoid damage from ground moisture. Fertilisers, insecticides and poisonous chemicals likely to contaminate shall not be stored alongwith the foodgrains in the same godown or shop or in immediate juxtaposition of such foodgrains. It shall further be ensured that at the time of sale, the said foodgrains are in good condition.‡

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

12. This licence shall be valid up to .....

Place .....

Date .....

(Licensing Authority)

†—†Substituted *vide* G. O. No. FDL-1071/3484-F, dated 7th September 1973.

‡—‡Inserted *vide* G. O. No. FDL-1070/18203-F, Dated 24th September 1970.

\$—\$Inserted *vide* G. O. No. FDL-2590/1328/(3728)/XXIII, dated 29th December 1993.

FORM " C "

FOR USE BY A DEALER

[ See condition 4 of Form " B " ]

Return of stocks, receipts and sales of foodgrains for the fortnight ending ..... 19 ..

Name .....

No. of licence .....

Address .....

Particulars of godowns where stocks held .....

Variety of the foodgrains.—

Particulars	Quantity in quintals	Remarks if any
1. Stocks at the beginning of the fortnight,—		
(a) actually with the stockist.		
(b) pledged with any person or institution such as a bank or co-operative society.		
Total . .		
2. (a) Quantity purchased during the fortnight and the source of supply.		
(b) Average price paid. Total quantity purchased.		
3. Quantity sold—		
(a) Quantity sold and delivered/removed during the fortnight.		

FORM "C"—*contd.*

- \* (i) to Govt. and its authorised agent.  
 (ii) to any other dealer.\*
- (b) quantity sold but not yet delivered.
- (c) average price realised/charged Total quantity sold.
4. Stock at the end of the fortnight.—
- (a) actually with stockist—
- (i) unsold.  
 (ii) sold but awaiting delivery.
- (b) pledged with any person or institution such as bank or a co-operative society.
- Total ..

Particulars	Quantity in quintals	Remarks if any
5. Details of average margin in respect of stocks of each of the foodgrains sold during the quarter ending :—		
(i) Rice.—		
(a) handling .. .. .	.. .. .	
(b) transport .. .. .	.. .. .	
(c) .. .. .	.. .. .	
(d) .. .. .	.. .. .	
(e) net profit .. .. .	.. .. .	

\*—\*Inserted *vide* G. O. No. FDL 1075/D-XXIII. dated 7th July 1977.



FORM " C "—*contd.*

## (ii) Wheat.—

(a) handling	..	..
(b) transport	..	..
(c) .....	..	..
(d) .....	..	..
(e) net profit	..	..

NOTE 1.—Information in respect of items 2(b), 3(c), and 5 shall be furnished by the licensee other than roller flour mills for each of the quarter ending 31st March, 30th June, 30th September and 31st December of every year. This information shall be supplied alongwith the return for the second fortnight of the month following the end of the quarter and shall be approximate, the final figures for the year as a whole being given in the return at the end of the year.

NOTE 2.—A Licensee may show in his return against source of supply only the market or markets and the quantity purchased from each such market but need not give details of the names of each dealer and the quantity purchased from each such dealer, unless in any single transaction, he has purchased a quantity of 200 quintals more.

NOTE 3.—The quantity sold to other licensed wholesalers, retailers and consumers shall be shown separately.

To,

The Licensing Authority

Place : ..... District : .....

Date : ..... Signature : .....

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## FORM " C " (1)

FOR USE BY A DEALER HOLDING A RETAILER'S LICENCE

[ See clause (ii) of condition 4 in Form B ]

*Return of Stocks, Receipts and Sales of Foodgrains for the  
 \*Fortnight ending\* ..... 19.*

Name : .....

Number of licence : .....

Address : .....

Particulars of godowns where stocks held : .....

Variety of foodgrains : .....

- (1) Opening stocks.
- (2) Quantity purchased during the \*fortnight.
- (3) Source of supply.
- (4) Quantity sold during the \*fortnight.
- (5) Closing stock at the end of the \*fortnight.

.....  
 ( Signature )

Date :

Place :

To,

The Licensing Authority

## \*FORM " C " II\*

[ See Clause 3 (3) ]

## THE MAHARASHTRA FOODGRAINS DEALERS LICENSING ORDER 1963.

Permit No. ....

Valid upto .....

Date of issue .....

*Permit*

To acquire Damaged/contaminated or the like type of foodgrains under the Maharashtra Foodgrains Dealers Licensing Order, 1963.

Name : .....

Address : .....

1. The above person, institution firm, etc. is hereby authorised to acquire the total quantity of ..... damaged/contaminated or the like type of foodgrains (to be named) unfit for human consumption as detailed below from the Food Corporation of India or any other source (to be mentioned).

..... Quintals

Total Quintals .....

(in words .....)

2. The acquisition is authorised only for the purpose of:—

(To be used for the purpose as mentioned in the letter of the permit holder and approved by the Licensing Authority).

3. The issue of this permit is subject to the general condition as follows:—

(1) This permit is not transferable.

(2) The Licensing Authority may at any time revoke this permit and the holder must surrender this permit forthwith to him when it is revoked.

(3) The damaged/contaminated or the like type of foodgrains acquired on this permit must not be used or attempted to be used for purpose not approved by the Licensing Authority.

(4) Utilisation of damaged/contaminated and the like type of foodgrains unfit for human consumption must be reported to the Licensing Authority within a period of 3 months from the date of acquisition.

Signature of the Licensing Authority.

\*FORM ' D ' \*

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\*—\* FORM D \* deleted *vide* G. O. No. FDL-1069/21467/F, dated 30th October 1969.



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**RATIONING ORDERS**

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**THE MAHARASHTRA FOODGRAINS RATIONING (SECOND)  
ORDER, 1966**

FOOD AND CIVIL SUPPLIES DEPARTMENT

No. ECA-2166/F, Bombay, 23rd November 1966.

*(Corrected up to 31st March 1995)*

In exercise of the powers conferred by sub-section (1) read with clauses (c), (d), (e), (f), (h), (i), (ii) (j) of sub-section (2) and sub-section (3B), of section 3 of the Essential Commodities Act, 1955 (10 of 1955) and of all other powers enabling the Government of Maharashtra in this behalf, read with the notification of the Government of India, in the Ministry of Food, Agriculture, Commodity Development Co-operation (Department of Food) No. G. S. R. 906, dated the 9th June, 1966 and with the prior concurrence of the Central Government, the Government of Maharashtra hereby makes the following Order, namely:—

1. *Short title, extent, \*commencement and termination\*.*—

This Order may be called the Maharashtra Foodgrains Rationing (Second) Order, 1966.

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

(3) It shall in the first instance come into force in the areas specified in Schedule A on the date of its publication in the *Official Gazette*; and the State Government may by notification in the *Official Gazette* direct that it shall come into force in any other area on such date as may be specified in that notification, and different dates may be specified for different areas.

†(4) It shall cease to be in force in the Nagpur Rationing Area and the Sholapur Rationing Area specified in Schedule A with effect from the 1st day of May, 1969, except as provided in the Maharashtra Scheduled Foodgrains (Regulation of Distribution) Order, 1966, and as respects other things done or omitted to be done hereunder before the said date.†

\*\* (5) It shall cease to be in force in the Poona Rationing Area specified in Schedule A with effect from the 1st day of July 1969, except as provided in the Maharashtra Scheduled Foodgrains (Regulation of Distribution) Order, 1966, and as respects other things done or omitted to be done hereunder before the said date\*\*.

\*—\*Substituted *vide* G. O. No. ECA-2169/F, dated 28th April 1969.

†—†Inserted *vide* G. O. No. ECA-2169/F, dated 28th April 1969.

\*\*—\*\*Inserted *vide* G. O. No. ECA-2169/a/F, dated 26th June 1969.

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

\*(ai) 'authorised agent' means an individual, firm, company co-operative society or other association or body of persons, authorised under clause 3, to obtain rationed foodgrains on behalf of his constituent ration shops and establishments and to deliver the same to them and includes any person who conducts the business or affairs of such authorised agent.

*Explanation.*—The agency for the purposes of obtaining an authorisation under clause 3 shall be created by the authorised ration shop or establishment by means of a letter of appointment, which shall be lodged with the Controller of Rationing concerned. Such letter of appointment shall be in such Form as may be prescribed by the regulations made under clause 10. Any revocation of such agency shall not take effect until written intimation thereof in such Form as may likewise be prescribed is sent to and received by the Controller of Rationing concerned\*.

(a) "authorised establishment" means a person in-charge of an establishment authorised under the provisions of clause 3 and includes a person in-charge of an establishment under the control of Government.

*Explanation.*—On the commencement of this Order in any area a person in-charge of an establishment, who was appointed or authorised, or deemed to be appointed or authorised by or on behalf of Government as an authorised establishment or by any other designation, and whose appointment or authorisation was in force immediately before such commencement, shall be deemed to be an authorised establishment in that area for the purposes of this Order, unless otherwise directed by Government or the Controller of Rationing concerned ;

(b) "Collector" means the Collector of the District, and includes the District Supply Officer, an Assistant District Supply Officer, and such other officer or officers as may be authorised by the Collector in this behalf ;

(c) "Controller of Rationing" in any area for which a Controller of Rationing has been appointed by Government means that Officer and elsewhere the Collector, and includes a Deputy or Assistant Controller of Rationing ;

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\*—\*Inserted vide Government Order No. ECA-2168-F, dated 17th June, 1969.



\* (ca) " Dealer " means a person engaged in the business of purchase, sale or storage for sale, of one or more foodgrains, and includes any person who desires to engage in such business and has applied to the authority concerned to be authorised as a ration shop.\*

(d) " establishment " means catering establishments, institutions, residential establishments, manufacturing establishments, mills, industries, animal establishments and any other establishments or class of establishments which the State Government or the Controller of Rationing may declare to be the establishments for the purposes of this Order :

(e) " establishment consumption " means all consumption of food supplied by an establishment for consumption on the premises of the establishment or elsewhere ;

(f) " household consumption " means all consumption of food other than establishment consumption ;

(g) " prescribed manner " means the manner prescribed by sub-section (5) of section 3 of the Essential Commodities Act, 1955 ;

(h) " ration card " means a foodgrains card, permit or other document issued or made available under the provisions of this Order, for obtaining supplies of rationed foodgrains, and any card, permit or other document, issued before the commencement of this Order in any area and on which rationed foodgrains were obtainable immediately before such commencement, shall be deemed to be a ration card made available for obtaining rationed foodgrains if that area under the provisions of this Order ;

(i) " ration document " means a ration card, or an authorisation issued under clause 3 or any other document issued or made available or deemed to be issued or made available under the provisions of this Order for purchasing, selling, distribution, movement or transport of rationed foodgrains ;

(j) " ration shop " means a dealer in-charge of a shop authorised under the provisions of clause 3, and includes a person in-charge of a shop where rationed foodgrains are sold and is under the control of Government.

\*—\*Inserted vide Government Order No. ECA-2176/27 D-XXIII, dated 29th December 1976.

*Explanation.*—On the commencement of this Order in any area, every dealer, who was appointed or authorised, or deemed to be appointed or authorised by or on behalf of Government as an authorised fair price shop or a ration shop or by any other designation, and whose appointment or authorisation was in force immediately before such commencement, shall be deemed to be a ration shop in that area for the purposes of this Order, unless otherwise directed by Government or the Controller of Rationing concerned ;

(k) "rationed foodgrains" means all or any of the foodgrains and the products thereof specified in Schedule D ;

(l) "rationing area" means any area in which this Order is in force ;

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

**3. Issue of authorisation to \*shops, establishments and agents\* to obtain and supply rationed foodgrains.**—(1) With a view to controlling the distribution of rationed foodgrains, the State Government or the Controller of Rationing may issue an authorisation to any person, being a dealer or having charge of an establishment \*or being an agent of the dealers or establishment\* to obtain and supply rationed foodgrains in accordance with the provisions prescribed by or under this Order.

(2) Every ration shop and every authorised agent shall deposit with the State Government such sum not exceeding †Rs. 5,000† in the case of a ration shop and not exceeding †Rs. 1,00,000† in the case of an authorised agent, as may be specified by it in this behalf for the due performance of the conditions of the authorisation, and the sum so deposited or any part thereof, may, without prejudice to any other penalty, after inquiry and for reasons to be recorded in writing, be forfeited by the State Government or the Controller of Rationing for contravention of any such condition. If, as a result of any departmental action the sum deposited or any part thereof is forfeited, \*the ration shop or the authorised agent, as the case may be shall \*forthwith pay to Government such amount as may be required to make up the prescribed sum to be deposited as security.

\*—\*Substituted *vide* G. O. No. ECA-2168/F, dated 17th June 1969.

†—†Substituted *vide* G. O. No. SAVIYA-1092/2467/CR-6526/65-XXVIII, dated 17th June 1993.

NOTE.—According to G. R. No. SAVIVYA-1092/2467.CR-6526/CS-28, dated 4th February 1994, an authorised agent now required to deposit with State Government Rs. 25,000 instead of Rs. 1,00,000.

(3) On the commencement of this Order in any area in the case of a dealer who is deemed to be a ration shop under the Explanation to sub-clause (j) of clause 2, any sum which stands deposited by him as security immediately before such commencement shall be deemed to be deposited with the State Government as security for the purpose of this clause.

(4) The State Government or the Controller of Rationing may, at any time, whether at the request of the ration shop or authorised establishment \*or authorised agent,\* or *suo motu*, after making such inquiry as may be deemed necessary and for reasons to be recorded in writing add to, amend, vary, ‡ suspend, withdraw or cancel ‡ the authorisation issued or deemed to be issued to him under this clause.

†Where any such authorisation is suspended, withdrawn or cancelled the person to whom the authorisation was issued shall forthwith deliver or cause to be delivered the same to the State Government or the Controller, as the case may be. †

**\*\*3A.** *Ration shops not to contravene any order relating to foodstuffs.*—

No dealer in-charge of a shop authorised under clause 3 shall contravene the provisions of this Order or any order relating to foodstuffs issued under the Essential Commodities Act, 1955, or any Order relating to foodstuff issued under the Defence of India Rules, 1971.\*\*

§" 3B." *Order of priority to be followed in issuing authorisations to ration shops.*—(1) While issuing authorisation to ration shops under clause 3, the State Government or the Controller of Rationing, as the

\*—\*Inserted *vide* G. O. No. ECA-2168/F, dated 17th June 1969.

\*\*—\*\*Clause 3A substituted *vide* G. O. No. ECA-2173/34882/F, dated 12th June 1975.

†—†Added *vide* G. O. No. ECA-2175/27-D-XXIII, dated 24th December 1975.

‡—‡Substituted *vide* G. O. No. ECA-2175/27/D-XXIII, dated 24th December 1975.

§—§Clause 3B and 3C substituted *vide* G. O. No. SAVIVYA-1091/2424/CR-6178/CS-28, dated 28th January 1992.

case may be shall,\* give due regard to the following order of priority, namely :—

- (1) Consumer Co-operative Society of Women,
- (2) Other Consumer Co-operative Societies,
- (3) Person from Scheduled Caste, Scheduled Tribe,
- (4) Freedom Fighter,
- (5) Ex-serviceman (includes the widow, son or unmarried daughter of servicemen killed in war action),
- (6) Physically handicapped persons,
- (7) Project affected persons,
- (8) Others.

(2) While following the priority from Sr. Nos. 3 to 8 under sub-clause (1), the woman applicant and thereafter the educated unemployed person shall be given priority in the respective group.

*Explanation.*—While considering the physically handicapped person, the priority shall be given to the physically handicapped woman and thereafter physically handicapped educated unemployed person shall be considered. However, physically handicapped woman shall not be considered over ex-serviceman.

(3) Government or the Controller of Rationing may issue an authorisation to State level or divisional level institutes such as Mahila Arthik Vikas Mahamandal, Maharashtra State Co-operative Marketing Federation, Maharashtra State Consumers' Federation, Vidarbha Co-operative Marketing Society or any Government undertaking, or an Institute having a chain of shops such as Super Bazar, Apna Bazar, irrespective of priorities laid down under sub-clause (1). Similarly, when a ration shop is to be granted to the Employees' Co-operative Society established by the employees, the priorities mentioned above shall not be taken into consideration. Similarly, the highest priority shall be given to the Consumer Co-operative Society formed by the residents in the locality for their mutual benefit, if they possess the requisite provision for shop. Similarly when a shop is available for allotment on account of death of shopkeeper, the same shop may be granted to his widow or son, if they possess the requisite ability and administrative capacity for running a ration shop.

\*—\*Words " as for as possible " deleted vide G. O. No. SAVIVYA-1091/2424/CR-6178/CS-28, dated 18th May 1992.

"3C." Existing authorisations to ration shops to continue.—Notwithstanding anything contained in this order and the regulation made thereunder, all authorisations to ration shops issued under this order and in force on the date of commencement of the Maharashtra Foodgrains Rationing (Second) (Amendment) Order, 1992 shall be valid unless the same are cancelled due to resignation by shopkeeper, or any action taken for breach of conditions of licence or non-observance of the directions given by the competent authority. On the date of commencement of the Maharashtra Foodgrains Rationing (Second) (Amendment) Order, 1992, or as soon as possible thereafter, new authorisation shall be issued having regard to the order of priority prescribed under clause 3B§

4. Prohibition against supply of rationed foodgrains by unauthorised persons.—No person, other than ration shop or authorised establishment, shall sell or agree to sell or supply or agree to supply any rationed foodgrains to any person, except under and in accordance with a special direction issued by the Controller of Rationing, or any officer authorised by him in this behalf:

\*\*Provided that the supply of rationed foodgrains by any authorised agent to any of his constituent ration shops or establishments in accordance with the provisions of this order shall not constitute a contravention of this clause.\*\*

5. Supply of rationed foodgrains by ration shop or establishment.—No ration shop or authorised establishment shall sell or agree to sell or supply or agree to supply rationed foodgrains to any person, except for household consumption or establishment consumption or for the purposes of an establishment other than establishment consumption, except at such prices as may be specified by the State Government or the Controller of Rationing in this behalf and except under and in accordance with the provisions prescribed by or under this Order.

6. Prohibition of obtaining rationed foodgrains otherwise than in accordance with the provisions of this Order.—No person shall obtain or attempt to obtain any rationed foodgrains except for household consumption for establishment consumption or for the purposes of an establishment other than establishment consumption or in connection herewith, and except under and in accordance with the provisions prescribed by or under this order.

§—§Substituted vide Government order No. SAVIVYA-1091/2424/CR-6178/CS-28, dated 28th January 1992.

\*\*—\*\*Proviso to clause 4 added vide Govt. Order No. ECA-2168/F, dated 17th June 1969.

7. *Power to issue ration cards.*—(1) With a view to controlling the distribution of rationed foodgrains, the State Government may issue or cause to be issued ration cards to any person or class of persons, or to the public generally :

Provided that, no such card shall be delivered to any person unless such person or any adult member of his family to whom the document is tendered on his behalf signs in token of receipt of such document as required by the Officer delivering such document.

(2) The State Government or the Controller of Rationing or any officer authorised by the State Government or by the Controller may, at any time, whether at the request of the person to whom any ration card has been issued, or *suo motu*, after making such inquiry as may be deemed necessary, add to, amend, vary, suspend or cancel such ration card. Where any such card is suspended or cancelled, any person in possession of it shall forthwith deliver the same to Government, the Controller or the authorised Officer, as the case may be.

8. *Acquisition of rationed foodgrains only by means of ration document.*—Except as otherwise provided by or under this order, rationed foodgrains shall be purchased, acquired or obtained only by means of a ration document available for lawful use and lawfully used, and only upto the quantity specified or as represented by the units specified on that document.

9. *Exceptions.*—The foregoing provision shall not apply to distribution by any person of any rationed foodgrains lawfully obtained by him—

(a) to members of the same household or to guest sharing meals in such household ; or

(b) to any other person either without payment of price of such rationed foodgrain or in exchange or any other rationed foodgrains ;

Provided that, nothing in this clause shall apply to any ration shop \*authorised agent or authorised establishments or any other establishment.\*

\*—\*Substituted vide G. O. No. ECA-2168/F, dated 17th June 1969.

10. *Power to make regulation.*—(1) The State Government may make regulations generally for all rationing areas and if so specified specially for any rationing area providing for—

(a) the conditions subject to which rationed foodgrains may be supplied or obtained for household consumption, for establishment consumption or for the purposes of an establishment other than establishment consumption or in connection herewith \*or may be obtained by authorised agents for supply to ration shops and establishments\* and,

(b) in particular—

(i) the forms in which applications for obtaining different ration documents may be made, the different kinds of ration documents which may be issued for different purposes and the fees which may be charged for such forms and documents issued by the State Government ;

(ii) the manner in which a ration card may be used for supplying or obtaining rationed foodgrains including the manner in which and the conditions subject to which such card may be registered with any ration shop or authorised establishment ;

(iii) the period for which the ration card or part thereof shall be valid ;

(iv) the number of units allotted to any persons, class of persons or to the public generally ;

(v) the quantity of rationed foodgrains which a unit shall represent and the period during which such quantity shall be available ;

(vi) the form of authorisation to be issued under clause 3 and the conditions subject to which the ration shop or authorised establishment \*\*or authorised agent\*\* may obtain and supply rationed foodgrains ; and

†(vii) any other matters connected with issue and suspension, withdrawal and cancellation of ration documents and with distribution of rationed foodgrains.†

(2) Any regulations made under this clause shall have effect as if they were incorporated in this Order.

\*—\*Inserted vide G. O. No. 2168/F, dated 12th June 1969.

\*\*—\*\*Inserted vide G. O. No. ECA-2168/F, dated 17th June 1969.

†—†Paragraph (VII) Substituted vide G. O. No. ECA-2175/27/D-XXIII, dated 24th December 1975.

**11. Availability of ration card.**—A ration card shall be available for lawful use only.

(a) in respect of household consumption for the person or persons included therein who is or are living and is or are in the rationing area for which it is issued ;

(b) in respect of establishments—

(i) while the person in charge of the establishment is living and is in the rationing area ; and

(ii) while the business of the establishment is carried on at the address specified on the ration card.

*Explanation 1.*—The person in-charge of an establishment shall be deemed to be in the rationing area, if he is not absent therefrom for a period exceeding four weeks at a time.

*Explanation 2.*—The business of the establishment shall be deemed to be carried on, if the establishment is not closed for a period exceeding seven days at a time

**12. Ration document to remain property of Government.**—Every ration document issued under this Order shall be the property of the State Government, but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order or the regulations made thereunder shall, subject to the other provisions of this Order, be entitled to its custody and be responsible for its safe custody.

**13. Replacement of defaced, lost or destroyed ration document.**—If any ration document be defaced, lost or destroyed, the Controller of Rationing or any officer authorised by him may, unless otherwise provided for in any regulations made in this behalf, after making such inquiry as he may think fit, issue a new ration document in place thereof on payment of such fee as may be fixed by the regulations. Every person to whom a new ration document has been issued, shall, if he subsequently finds the lost document, forthwith return the latter document to the Controller or the authorised Officer.

**14. Prohibition against transfer of ration document.**—No person shall transfer to any other person a ration document issued to himself and no person shall use or dispose of or obtain such document, except under and in accordance with the provisions prescribed by or under this Order.



**15. Issue of new ration card if person in charge of establishment is changed.**—In the event of a change of person in-charge of an authorised establishment, the Controller of Rationing or any officer authorised under sub-clause (2) of clause 7 may, whether at the request of the new person for the time being in-charge of such establishment, or *suo motu*, after making such inquiry as he may think fit, cancel any ration card issued in the name of the person previously in-charge of such establishment and issue a new ration card in place thereof in the name of the new person aforesaid, on payment of such fee as may be fixed by the regulations.

**16. Return of ration document by person in unauthorised possession hereof.**—(1) Where any person is in possession of a ration document and such possession is not authorised by virtue of this Order, he shall forthwith deliver the same to the person in respect of whom it is issued or the officer in-charge of the nearest Rationing Office.

(2) No ration shop shall retain with him a ration card of any of his customers, and if for any reasons any such card remains with him, \*he shall within 3 days (excluding holidays) return it to the holder thereof\* or surrender it to the nearest Rationing Office and obtain a receipt therefor.

**17. Cancellation of ration card.**—In any case where any ration card or any entry or coupon thereon is required to be cancelled under or for the purposes of this Order, it shall not be deemed to be cancelled, unless it shall have been effectively cancelled in ink (whether by means of a die or stamp or otherwise) or by means of indelible pencil, and shall upon such cancellation cease to be available for lawful use.

**18. Prohibition against applying for duplicate ration card, etc.**—No person shall—

- (a) dishonestly apply for or receive more than one ration card, if he knows or has reason to believe that his name is already included in any other ration card issued to any household ;
- (b) obtain a ration card by furnishing false information ;
- (c) without lawful authority, alter or destroy a ration card issued to him

\*—\*Substituted vide G. O. No. ECA-2168/F, dated 10th July 1968.

**19.** *Notice of absence of person in the household for more than four weeks.*—Every holder of a ration card shall notify in writing to the Controller of Rationing or any officer authorised by him, the absence from the rationing area of any person or persons in his household included in such card for more than four weeks. The notice shall be given within seven days from the date of expiry of the period of four weeks aforesaid.

**20.** *Surrender of ration documents and furnishing of particulars by ration shops +authorised establishments and authorised agents+.*—Every ration shop, or authorised establishment \*or authorised agent\*, as the case may be, shall, when so required by an officer authorised by the State Government or by the Controller of Rationing in this behalf,—

(a) deliver to him all ration cards and other ration documents tendered to him or in his possession under or for the purposes of this Order ; and

(b) furnish such particulars relating to his dealings in any stocks of rationed foodgrains as may be required.

**21.** *Distribution or acquisition of rationed foodgrains otherwise than on ration documents.*—Notwithstanding any provisions of this Order, the distribution or acquisition of rationed foodgrains otherwise than on a ration document, whether or not for household consumption or establishment consumption or for the purposes of an establishment other than establishment consumption and subject to such conditions as may be specified, may be authorised by—

(i) Government in respect of any rationed foodgrains ;

(ii) the Controller of Rationing in respect of any rationed foodgrains declared by the local health authorities or by him to be unfit for human consumption, or to meet any unforeseen or ad-hoc demand for supply of any foodgrains ;

(iii) ++the Director of Civil Supplies (Movement) in respect of any rationed foodgrains declared by the local health authorities or by him to be unfit for human consumption.++

+—+Substituted vide G. O. No. ECA-2168/F, dated 17th June 1969.

\*—\*Inserted vide G. O. No. ECA-2168/F, dated 17th June 1969.

++—++Added vide G. O. No. ECA-2167/F, dated 25th August 1967.

**22. Restrictions on hoarding.**—No person (including authorised establishment) shall draw or cause to be drawn, any rationed foodgrains on a ration card, if the total quantity of such foodgrains in his possession exceeds the quantity of such foodgrains for the time being obtainable during a period of four weeks on such card.

**23. Restriction on movement of rationed foodgrains from or into rationing areas.**—No person shall move or attempt to move or abet the movement of any rationed foodgrains from any rationing area to any area outside it or from such outside area into the rationing area, except under and in accordance with a transport permit granted by the Controller of Rationing, or any other Officer empowered by the State Government or the Controller in this behalf :

Provided that, no such permit shall be necessary in respect of—

(i) the transport of all or any of the rationed foodgrains as a part of personal luggage by a bonafide traveller, provided that the aggregate weight of all such foodgrains does not exceed † ten kilograms † per traveller ;

(ii) the transport of rationed foodgrains on Government account ;

(iii) the transport of rationed foodgrains under and in accordance with Military Credit Notes ;

(iv) the transport of any rationed foodgrains received by way of gift under the Indo-US Agreement on Relief Supplies, 1951 and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes ;

\*\* (v) the transport of rationed foodgrains, which are certified seeds certified as such by or under the authority of the National Seeds Corporation Limited. \*\*

**24. Declaration of stock.**—(1) Every person, other than a ration shop or authorised establishment\* or authorised agent\* shall within a period of a fortnight from the date of commencement of this Order in any area other than the areas specified in Schedule A and thereafter in any area (whether specified in Schedule A or not) within a fortnight from

†—†Substituted *vide* G. O. No. ECA-2174/3591/F, dated 25th September 1974.\*\*—

\*\*—\*\*Added *vide* G. O. No. ECA-2166/F, dated 29th December 1966.

\*—\*Substituted *vide* G. O. No. ECA-2168/F, dated 17th June 1969.

such date or dates as may be notified by the State Government or the Controller of Rationing, furnish in writing to Controller or any other officer specified by him in this behalf a full and correct statement in the Form set forth in Schedule C, in respect of the stock of each of the rationed foodgrains held by him at any place in the rationing area, on the date immediately preceding the date of such commencement or notified date, as the case may be, if his stocks of all such foodgrains on that date exceed one quintal.

(2) Every person, other than a ration shop or authorised establishment, \*or authorised agents\* who may at any other time come into possession of stocks or rationed foodgrains exceeding one quintal at any place in the rationing area (Whether as a result of cultivation of his land or otherwise), shall not later than the day following the day on which he comes into possession of such stocks, furnish in writing to the Controller or any other Officer specified by him in this behalf a full and correct statement in the Form set forth in Schedule C, in respect of the stock of each of the rationed foodgrains held by him on the day on which he comes into possession of such stocks.

(3) Nothing contained in sub-clause (1) or (2) shall apply to any stocks held by any person for *bona fide* household or establishment consumption \*\* or for payment of wages in kind or for seed purposes\*\* against cancellation of appropriate number of units or coupons on †his household or establishment ration card†.

**25. Freezing of stock.**—Any person who has declared the stock of rationed foodgrains in accordance with clause 24, when so directed by a notice given in the prescribed manner by the Controller of Rationing or any officer authorised by him, shall not remove, sell or otherwise dispose of such stock, or cause or allow such stock to be removed, sold or disposed of, except under and in accordance with an authorisation issued in this behalf by the Controller or the authorised officer :

Provided that, on an application by such person, he may be permitted by the Controller, or the authorised officer to use such stock for consumption by members of this household ‡or establishment or for payment of wages in kind or for seed purposes‡ against cancellation of appropriate number of units or coupons on ‡his household or establishment ration card‡.

\*—\*Inserted vide G. O. No. ECA-2168/F, dated 17th June 1969.

\*\*—\*\*Inserted vide G. O. No. ECA-2171/44717/F, dated 4th July 1975.

†—†Substituted vide G. O. No. ECA-2174/44717/F, dated 4th July 1975.

‡—‡Inserted vide G. O. No. ECA-2174/44717/F, dated 4th July 1975.

**26. Power to require frozen stock to be sold to Government or named agent.**—(1) When a notice has been given in respect of any stock or rationed foodgrains under the last preceding clause, the State Government, may, with the prior concurrence of the Central Government, by a further notice direct the person holding such stock to sell the whole or a specified part thereof, to Government or to such officer or agent of Government as may be named therein.

(2) The State Government shall specify in the notice.—

(a) the price determined having regard to the provisions of section 3 of the Essential Commodities Act, 1955, at which the stock shall be sold ;

(b) the person to whom and the place at which the stock shall be delivered ; and

(c) the date before which the delivery shall be made.

**27. On failure to comply with notice, power to take possession and sell.**—If any person fails to comply with any notice given under sub-clause (1) of clause 26, the Controller of Rationing or any officer authorised by him may enter upon the land or premises and take possession of the stocks of rationed foodgrains in respect of which the notice was given and sell or cause to be sold such stocks to the person specified in the notice.

**28. Power to enter premises, inspect, search or seize stocks of rationed foodgrains, ask questions, require production of documents, etc.**—(1) Any officer or person authorised by the State Government or by the Controller of Rationing may at all reasonable times inspect any stocks of rationed foodgrains, ration documents or books, accounts or other documents pertaining to dealings in rationed foodgrains, and may for the purpose of such inspection.—

(a) enter any premises :

Provided that in exercising the power of entry, due regard shall be paid by such officer or person to the social and religious customs of the occupants of premises ;

(b) ask of any person all necessary questions.

(c) require the production of any document and take or cause to be taken extracts from or copies of such document ; and

(d) take or cause to be taken the weight or measures of the rationed foodgrains found in the premises.

(2) Every person, when so required by such officer or person under sub-clause (1), shall allow access to the premises, answer all questions to the best of his knowledge and belief, produce the documents in his possession and allow extracts form or copies of any such documents or weight or measure of any rationed foodgrains found in the premises to be taken.

(3) Such officer or person may, in the course of such inspection, search for and seize any article, in respect of which he has reason to believe that any provision made by or in pursuance of this Order has been or is being contravened.

**29. Power to exempt.**—The State Government may, if it is necessary in the public interest so to do, by order, exempt any person or class of persons from the operation of all or any of the provisions of this Order for such period and subject to such conditions as may be specified, and may at any time suspend or cancel such exemption.

**\*30. Power to call for and examine records of proceedings and revise orders.**—The State Government, or in the Bombay Rationing Area an officer not below the rank of Deputy Secretary to Government designated by the State Government in this behalf, and elsewhere the Commissioner of the Division, may on an application made to it or him by an aggrieved person within 30 days, from the date of receipt by him of any order by which he is aggrieved, stay the enforcement of such order if considered necessary and may call for and examine the record of any inquiry or proceedings of any officer exercising or failing to exercise the powers under this Order to add to, amend, vary, suspend or cancel any authorisation issued or deemed to be issued under clause 3 or any ration card issued deemed to be issued under clause 7 or to forfeit the deposit (or any part thereof) paid or deemed to be paid by a ration shop or authorised agent as security or to take any other action under the provisions prescribed by or under this Order, for the purpose of satisfying itself or himself as to the legality or propriety of the order passed by such officer, and as to the regularity of the proceedings of such officer and may pass such order thereon as it or he, as the case may be, thinks fit :

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\*—\*Substituted *vide* G. O. No. ECA-2168/F, dated 17th June 1969.

Provided that, the State Government may, at any time, during the pendency of any inquiry or proceedings or within one year from the date of any order passed by any officer under the provisions prescribed by or under this Order, *suo motu*, stay any pending inquiry or proceedings or the enforcement of such Order if considered necessary and may, call for and examine the record of any such inquiry or proceedings and pass such order thereon as it thinks fit.

Provided further that, the State Government or the designated officer or the Commissioner, 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.\*

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\*—\*Substituted *vide* G. O. No. ECA-2168/F, dated 17th June 1969.

## SCHEDULE A

[ See sub-clause (3) of clause 1 ]

**Areas to which the Order shall come into force in the first instance**

## I. BOMBAY RATIONING AREA COMPRISING OF.—

## 1. GREATER BOMBAY

THE FOLLOWING AREAS FROM THANA DISTRICT

*Thana Taluka*

- |  |  |
|--|--|
| 1. Thane Municipal area.                       | 13. Agasan, Dativali Village Panchayat area.   |
| 2. Kalwa Village Panchayat area.               | 14. Mhatardi, Dativali Village Panchayat area. |
| 3. Majiwde Village Panchayat area.             | 15. Mumbra Village Panchayat area.             |
| 4. Balkum Village Panchayat area.              | 16. Yewoor Village Panchayat area.             |
| 5. Kolshet Village Panchayat area.             | 17. Kavesar Village Panchayat area.            |
| 6. Chitalsar Manpada Village Panchayat area.   | 18. Borivade, Wadawali Village Panchayat area. |
| 7. Khari Village Panchayat area.               | 19. Wadawali Village Panchayat area.           |
| 8. Parsik Khari Village Panchayat area.        | 20. Ovale, Wadawali Village Panchayat area.    |
| 9. Diwa (Station) Diwa Village Panchayat area. | 21. Chene Village Panchayat area.              |
| 10. Sabe, Diwa Village Panchayat area.         | 22. Ghodbundar Village Panchayat area.         |
| 11. Dativali Village Panchayat area.           | 23. Varsave, Chene Village Panchayat area.     |
| 12. Betavade, Dativali Village Panchayat area. | 24. Mira Village Panchayat area.               |



*Thana Taluka—contd.*

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|---|--|
| 25. Kashi, Ghodbundar Village Panchayat area. | 34. Koparkhairne Village Panchayat area. |
| 26. Bhayandar Village Panchayat area.         | 35. Khairne Village Panchayat area.      |
| 27. Rai-Murdhe Village Panchayat area.        | 36. Turbhe Village Panchayat area.       |
| 28. Dongari Village Panchayat area.           | 37. Vashi Village Panchayat area.        |
| 29. Uttan Village Panchayat area.             | 38. Shiravane Village Panchayat area.    |
| 30. Diva Village Panchayat area.              | 39. Sanpada Village Panchayat area.      |
| 31. Airavali Village Panchayat area.          | 40. Nerul Village Panchayat area.        |
| 32. Gothivali Village Panchayat area.         | 41. Karave Village Panchayat area.       |
| 33. Ghansoli Village Panchayat area.          | 42. Belapur Village Panchayat area.      |

*Kalyan Taluka*

- |   |   |
|---|---|
| 1. Dombivali Municipal area.                    | 8. Sagaon Sonarpada Village Panchayat area.                 |
| 2. Bopar Village Panchayat area.                | 9. Sandap, Katai Village Panchayat area.                    |
| 3. Thakurli Village Panchayat area.             | 10. Nandivali, Gajabandhan-Patharli Village Panchayat area. |
| 4. Ayre Village Panchayat area.                 | 11. Gharivali, Katai Village Panchayat area.                |
| 5. Chole Village Panchayat area.                | 12. Usarghar Katai Village Panchayat area.                  |
| 6. Gajabandhan-Patharli Village Panchayat area. | 13. Katai Village Panchayat area.                           |
| 7. Asle Golivali Village Panchayat area.        |   |

*Kalyan Taluka—contd.*

- |  |  |
|--|--|
| 14. Nilje Village Panchayat area.                    | 32. Kolivali, Umbarde Village Panchayat area.                  |
| 15. Kole Village Panchayat area.                     | 33. Barave, Umbarde Village Panchayat area.                    |
| 16. Kopar, Aire Village Panchayat area.              | 34. Gandhare, Umbarde Village Panchayat area.                  |
| 17. Kachore Village Panchayat area.                  | 35. Vadavali, A. T. Barhe, A. T. Barhe Village Panchayat area. |
| 18. Tis Village Panchayat area.                      | 36. Atale, A. T. Barhe Village Panchayat area.                 |
| 19. Nativali Village Panchayat area.                 | 37. Ambivali, A. T. Barhe Village Panchayat area.              |
| 20. Kate Manivali Village Panchayat area.            | 38. Chikanghar Village Panchayat area.                         |
| 21. Pisewali, Kachore Village Panchayat area.        | 39. Vadavali-Ambernath, Ambernath Municipal area.              |
| 22. Shahad, Chikanghar Village Panchayat area.       | 40. Ambernath Rural, Ambernath Municipal area.                 |
| 23. Mharal Village Panchayat area.                   | 41. Ambernath Urban, Ambernath Municipal area.                 |
| 24. Khade, Golivali, Kachore Village Panchayat area. | 42. Morivali, Ambernath Municipal area.                        |
| 25. Galegaon, A. T. Barhe Village Panchayat area.    | 43. Kohoj-Ambernath Municipal area.                            |
| 26. Mohane Village Panchayat area.                   | 44. Chikhaloli Village Panchayat area.                         |
| 27. Balyani, Manivali Village Panchayat area.        | 45. Kansai Forest Village area.                                |
| 28. Sapad Village Panchayat area.                    | 46. Javasai Forest Village area.                               |
| 29. Vedeghar, Sapad Village Panchayat area.          | 47. Ulhasnagar Municipal area.                                 |
| 30. Kalyan Municipal area.                           |  |
| 31. Umbarde Village Panchayat area.                  |  |

*Bhivandi Taluka*

1. Bhivandi Municipal area.
2. Nizampur, Bhivandi Municipal area.
3. Gauripada, Kamatghar Village Panchayat area.
4. Kaneri, Kamatghar Village Panchayat area.
5. Narpoli Kamatghar Village Panchayat area.
6. Fene, Kamatghar Village Panchayat Area.
7. Kamatghar Village Panchayat area.
8. Val Village Panchayat area.
9. Bhadvad village Panchayat area.
10. Kalwar, Dunge Village Panchayat area.
11. Dunge Village Panchayat area.
12. Wadghar, Dunge Village Panchayat area.
13. Wadunavghar Village Panchayat area.
14. Kariwali Village Panchayat area.
15. Vehale Village Panchayat area.
16. Anjur Village Panchayat area.
17. Rahanal Village panchayat area.
18. Purna, Rahanal Village Panchayat area.
19. Ovali, Val Village Panchayat area.
20. Kopar, Rahanal Village, Panchayat area.
21. Kalhar Village Panchayat area.
22. Dapare, Val Village Panchayat area.
23. Gundavali, Val Village Panchayat area.
24. Kasheli Kalhar, Village Panchayat area.
25. Diva, Kalhar Village Panchayat area.
26. Kevani Village Panchayat area.
27. Pimplas Village Panchayat area.
28. Gove Village Panchayat area.
29. Kon Village Panchayat area.
30. Pimpalghar Village Panchayat area.
31. Sarvalli, T. Sonale, Pimpalghar Village Panchayat area.
32. Ranjnoli, Pimpalghar Village Panchayat area.
33. Sonale, Bhadvad Village Panchayat area.
34. Temghar Village Panchayat area.
35. Chavindre Village Panchayat area.
36. Nagaon, Chavindre Village Panchayat area.
37. Pagaon, Chavindre Village Panchayat area.

## \*AREA—District Thana, Taluka Ulhasnagar

## Names of Villages

1.	Manjarli Turf Chon	..	Village Panchayat Area
2.	Belayali	.. ..	Do.
3.	Kulgaon	.. ..	Do.
4.	Katrab	.. ..	Do.
5.	Shirgaon	.. ..	Do.
6.	Mankivali	.. ..	Do.
7.	Juveli	.. ..	Do.
8.	Kharvai	.. ..	Do.
9.	Badlapur	.. ..	Do.*
10.	Sonivali	.. ..	Do.
11.	Yeranjad	.. ..	Do.
12.	Mancre	.. ..	Do.
13.	Ashele	.. ..	Do.
14.	Chinchpada	.. ..	Do.
15.	Vasar	.. ..	Do.
16.	Pale	.. ..	Do.
17.	Jambhivali	.. ..	Do.
18.	Dwarli	.. ..	Do.
19.	Bhal	.. ..	Do.
20.	Adivali-Dhokli	.. ..	Do.
21.	Umroli Turf Pachananad		Do.
22.	Walivali	.. ..	Do.*

## † " SCHEDULE 'B' †

[See sub-clause (k) of clause 2]

## RATIONED FOODGRAINS MILO "

\*—\*Added *vide* G. O. No. SAVIVYA-1069/36537/CR-5686/XXVIII, dated 20th January 1990.†—†Substituted *vide* Government Order No. ECA-2177/1077/D-XXIII, dated 3rd October, 1977.

## FOOD AND CIVIL SUPPLIES DEPARTMENT

Sachivalaya Annexe, Bombay-400 032,  
dated the 29th December 1976.

## ORDER

ESSENTIAL COMMODITIES ACT, 1955.

No. ECA-2176-27-D-XXIII.—In exercise of the powers conferred by sub-section (1), read with clauses (d), (i), (ii) and (j) of sub-section (2), of section 3 of the Essential Commodities Act, 1955 (X of 1955) and of all other powers enabling the government of Maharashtra in this behalf read with the order of the Government of India, Ministry of Agriculture (Department of Food), No. GSR-316 (E), dated the 20th June 1972, the Government of Maharashtra hereby makes the following order further to amend the Maharashtra Foodgrains Rationing (Second) Order, 1966, namely:—

1. (i) This Order may be called the Maharashtra Foodgrains Rationing (Second) (Amendment) Order, 1976.

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

2. In clause 2 of the Maharashtra Foodgrains Rationing (Second) Order, 1966 (hereinafter referred to as "the said order"), after sub-clause (c), the following sub-clause shall be inserted, namely:—

"(ca) "Dealer" means a person engaged in the business of purchase, sale or storage for sale, of one or more foodgrains, and includes any person who desires to engage in such business and has applied to the authority concerned to be authorised as a ration shop."

3. After clause 3 of the said order, the following clauses shall be inserted, namely,—

"3A. *Order of priority to be followed in issuing authorisations to ration shops.*—(1) While issuing authorisations to ration shops under clause, 3 the State Government or the Controller of Rationing, as the case may be, shall as far as possible, give due regard to the following order of priority, namely,—

1. Multi-purpose Co-operative Societies,

2. Backward Class Co-operative Societies,
3. Freedom Fighters' Co-operative Societies,
4. Ex-Servicemen's Co-operative Societies,
5. Women's Co-operative Societies,
6. Other Co-operative Societies,
7. Institutions which are registered under any law for the time being in force.
8. Backward Class persons.
9. Indo-Pak conflict affected persons.
10. Freedom Fighters.
11. Ex-Servicemen.
12. Educated unemployed persons.
13. Physically handicapped persons.
- \*13.A. Project affected persons.\*
14. Prohibition affected persons.
15. Gold Control Order affected persons.
16. All other persons who do not fall under any of the above classes.

(2) The order of priority to be followed under sub-clause (1) shall be subject to the considerations whether the person to whom the authorisation is to be issued possesses the financial ability, administrative capacity, sufficient manpower and other facilities required for running a ration shop. For this purpose, the officer concerned shall have power to issue the authorisation, for reasons to be recorded in writing, to a person with a lower priority if the person or persons with the higher priority do not, in his opinion, possess the requisite facilities. Among the applicant belonging to the same class also, preference may be given to the person who, in the opinion of the officer concerned, possesses the best facilities referred to above.

*Explanation.*— For the purposes of this clause.

(a) "Multi-purpose Co-operative Society" means a society classified as such under item No. '8-Resource Society' of Rule 10 of the Maharashtra Co-operative Societies Rules, 1961 ;

(b) "Backward class person" means a person belonging to Scheduled Castes, Scheduled Tribes, Nomadic Tribes or Vimukta Jatis or other classes, which are recognised by the State Government as socially and educationally backward classes ;

\*—\*Added vide G. O. No. ECA-2179-492-825-XXIII, dated 18-2-1980.

(c) "Freedom Fighter" means a person who has taken part in the movement for freedom of India and is recognised as such by the State Government ;

(d) "Ex-serviceman" means a person who was a member of the armed forces of the Union and who is duly retired (which term shall include premature retirement) from service ;

(e) "Indo-Pak conflict affected person" means a person who was killed or disabled in the Indo-Pak conflict in 1971 or a member of his family.

(f) "Educated unemployed person" means an unemployed person, who has passed the final examination held at the end of the secondary education course by any statutory body recognised by the State Government in this behalf and who has applied for a loan for securing working capital to any nationalised Bank or whose application for loan for running a ration shop has been approved by such Bank ;

(g) "Physically handicapped person" means a person who in the opinion of the Controller of Rationing, is orthopadically handicapped i.e. a person who has a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints ;

\*(gg) "Project affected person" means a person whose ordinary avocation of life is affected by irrigation or multi-purpose project undertaken by the State Government or by any authority under its control ;

(h) "Prohibition affected person" means a person whose ordinary avocation of life is affected adversely on account of prohibition policy followed by the State Government ;

(i) "Gold Control Order affected person" means a person whose ordinary avocation of life is affected adversely on account of Gold Control policy followed by the Central Government ;

(j) A Co-operative Society shall be deemed to be of any class of persons, if the majority of its members belong to that class, e.g. Backward class Co-operative Society means a Co-operative Society of which majority of the members belong to backward classes as defined in this clause.

**3B.** Existing authorisations to ration shops to stand cancelled and new authorisations to be issued on basis of order of priority.— Notwithstanding anything contained in this order and the regulations made thereunder, all authorisations to ration shops issued under this order and in force on the date of commencement of the Maharashtra Foodgrains Rationing (Second) (Amendment) Order, 1976, shall be valid upto and inclusive of the 31st day of December 1976 and shall then stand cancelled except as respects anything done or omitted to be done by the ration shops on or before the said day. Persons whose authorisations stand cancelled shall be along with others eligible to apply for new authorisations. From the 1st January 1977 or as soon as possible thereafter, new authorisations shall be issued having regard to the order of priority prescribed under clause 3A. Although his authorisation may stand cancelled, every ration shop shall be bound to continue to function as a ration shop authorised under this order, until he is issued a new authorisation or in his place authorisation is issued to another person or he is directed by the State Government or the Controller of Rationing to cease to function as a ration shop.

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

B. K. HALVE,  
Secretary to Government.

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**THE MAHARASHTRA FOODGRAINS RATIONING (SECOND)  
REGULATIONS, 1966.**

FOOD AND CIVIL SUPPLIES DEPARTMENT

No. ECA-2266-F, Bombay, 23rd November 1966.

(Corrected upto 31-3-1995)

In pursuance of clause 10 of the Maharashtra Foodgrains Rationing (Second) Order, 1966 and of all other powers enabling it in this behalf, the Government of Maharashtra hereby makes the following Regulations, *namely*,—

**1.** *Short title and extent.*—(1) These Regulations may be called the Maharashtra Foodgrains Rationing (Second) Regulations, 1966.



(2) They extend to all rationing areas in the State, in which the Maharashtra Foodgrains Rationing (Second) Order, 1966 is in force.

2. *Defination.*—In these Regulations, unless the context otherwise requires ;

(a) " Form " means a Form appended to these Regulations ;

\*[a1] " Fortnight " means each of the period from 1st day to 15th day or from 16th day to the last day of calender month (all days inclusives).\*

(b) " heavy manual labourer " means a person engaged in any heavy manual work which is declared as such by the State Government.

*Explanation.*—The decision of the Controller of Rationing or any officer authorised by him in this behalf as to whether any person is or is not a heavy manual labourer shall be final ;

(c) " Order " means the Maharashtra Foodgrains Rationing (Second) Order, 1966 ;

(d) " Rationing Officer " means an Officer appointed as such by the State Government, and includes as Assistant Rationing Officer or Inspecting Officer ;

(e) " Week " in the first instance means each of the periods from 1st day to 7th day, from 8th day to 15th day, from 16th day to 23rd day and from 24th day to last day of a month (all days inclusive), but from such date (being a Sunday) as may be notified by the Controller of Rationing for any rationing area in that area means the period commencing from that Sunday and ending at midnight of Saturday next following, and each successive period of seven days thereafter ;

(f) words and expressions used in the Order and also in these Regulations, but not defined in these Regulations, shall have the meanings assigned to them in the Order.

3. *Procedure for obtaining ration cards.*—(1) Household ration card—Any person, residing or intending to reside in any rationing area, to whom a ration card is not issued or whose name is not included in any

\*—\*Inserted *vide* Government Order No. SAVIVYA-1086-232-Cr-4698-XXVIII, dated 10th September 1986.

ration card and who desires to have a ration card issued for himself, and members of his household (if any), to whom ration cards are not issued or whose names are not included in any other ration card, may apply to the Rationing Officer of the area in which he resides or intends to reside and furnish true and correct information in Form-I.

(2) *Temporary ration card*.—Where any such person resides or intends to reside temporarily in a rationing area for a period exceeding one week, he may likewise make the application to the Rationing Officer concerned in Form-I, after specifying the exact number of days during which he intends to reside in the rationing area.

(3) *Heavy Manual Labourer ration card*.—Where a person, residing or intending to reside in any rationing area, is a heavy manual labourer, he may apply to the Rationing Officer of the area in which he resides or intends to reside in Form-1A for obtaining a ration card issued to a heavy manual labourer (in addition to that obtained by him under sub-clause (1) or to any ration card issued thereunder in which his name is included), and for that purpose furnish true and correct information in the said Form-1A.

(4) *Establishment ration card*.—For obtaining supplies of rationed foodgrains for the purposes of an establishment or establishment consumption, a person in-charge of the establishment may apply for a ration card, to the Rationing Officer, within whose jurisdiction the establishment is situated, and furnish true and correct information in Form-II.

4. *Kinds of ration cards*.—A ration card which may be issued on such applications shall be in Form-III, IV, IV-A, V or VI, as the case may be.

\*5. *Arrangements for registration of ration cards and withdrawal or authorisations of ration shops found surplus*.—(1) A holder of a ration card shall register his card at the ration shop allotted to him by the Controller of Rationing or the Rationing Officer. It shall be lawful for the Controller of Rationing or the Rationing Officer to order reregistration of any card, if it is already registered at a ration shop at any other ration shop specified by him in order to enable him to ensure that ration cards are registered at ration shops, buildingwise, roadwise, wardwise or in any other convenient manner deemed fit by him.

\*—\*Substituted vide G. O. No. ECA-2275-D-XXIII, dated 24-12-1975.

(2) While ordering registration or reregistrations of ration cards, the Controller of Rationing or the Rationing Officer may allow registration of ration cards at any one ration shop with not more than 8,000 units. If for any special reasons, the Controller of Rationing or the Rationing Officer finds it necessary to exceed this limit in the case of any ration shop, he may, for reason to be recorded and with the prior approval of the State Government, allocate ration cards having more than 8,000 units to that particular ration shop.

(3) Notwithstanding anything contained in the last preceding sub-regulation, the Controller of Rationing may in his discretion allocate ration cards having more than 8,000 units to any ration shop which are run by the textile mills and other industrial concerns or by their employees or by any Co-operative Societies.

(4) If as a result of the arrangements made under this regulation for proper distribution of ration cards among the ration shops, any one or more ration shops are rendered surplus to the requirements of the rationing authorities, it shall be lawful for the Controller of Rationing, after giving a reasonable notice, to withdraw the authorisation issued to such shops not required for the time being, according to the priority order for the withdrawal of such authorisations specified by the State Government, from time to time. \*

**6. Conditions for obtaining supplies.**—No person shall obtain rationed foodgrains on a ration card, unless he—

(a) signs or puts his thumb impression in the space provided for that purpose on the ration card ;

(b) gets himself registered for obtaining his supply of rationed foodgrains with a ration shop ;

(c) resides in the rationing area and is not absent from the rationing area for a period of two consecutive weeks or more, and he may obtain rationed foodgrains only for such other person included in the card who are not absent from the rationing area for a period of two consecutive weeks or more ;

(d) complies with any other directions which the Controller of Rationing or Rationing Officer may issue from time to time in this behalf.

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\*—\* Substituted *vide* G. O. No. ELA-2275-d-XXIII, Dt. 24-12-1975.

**7. Period of validity of ration card.**—A ration card shall be valid for the period specified thereon or for such period as may be notified in this behalf by the Controller of Rationing or Rationing Officer. On an application made by the holder before the expiry of such period in such form as the Rationing Officer may require, the Rationing Officer may, from time to time, validate the ration card for a further specified period.

**8. Units to be shown on ration cards.**—Every ration card issued to a household shall show the number of units allotted to it, at the rate of 2 units for each member of the household of the age of 6 years and above, one unit for each member thereof the age below 6 years. In the case of heavy manual labourers, the extra unit or quantity of rationed foodgrains available shall be as shown on the card or shall be such as may be notified by Government or the Controller of Rationing from time to time.

**9. Quantity of rationed foodgrains represented by unit.**—A unit shall represent such quantity of such rationed foodgrains and for such period as shall be fixed and notified by the Controller of Rationing, from time to time.

**10. Form of Authorisation.**—(1) The authorisation to be issued under clause 3 of the Order, to a ration shop and the conditions subject to which such shop may obtain any supply foodgrains shall be as in Form VII.

(2) In the case of an establishment the ration card issued to it in Form V shall be deemed to be the authorisation issued to it.

\*(3) The authorisation to be issued under clause 3 of the Order to an authorised agent and the Conditions subject to which such agent may obtain, store and deliver foodgrains, shall be as in Form VII-A.

**10-A. Forms of letter of appointment of agent and of revocation to such appointment.**—(1) The letter of appointment of an agent by any ration shop or establishment under the Explanation to sub-clause (a) of clause 2 of the Order shall be as in Form VII-B.

(2) The revocation of the appointment of such agent shall be made in Form VII-C.\*

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\*—\*Inserted vide G. O. No. ECA-2268-F, dated 17-6-1969.

**11. Procedure for increasing units on ration card.**—Any person to whom a ration is issued and who desires to increase the number of units on his ration card on account of increase in the number of members of his household or on account of himself or any member of his household becoming entitled for extra unit by his employment in heavy manual work, or by reason of a child becoming entitled to two units, may apply to the Rationing Officer, of the area within whose jurisdiction he resides, and furnish true and correct information in Form VIII.

**12. Procedure for reducing units on ration card.**—Any person to whom a ration card is issued shall apply, in Form IX for reducing the number of units on his ration card, if any of the person included in the card dies or leaves the rationing area for a period exceeding four weeks or when such person ceases to be entitled or extra unit for heavy manual work.

**13. Prohibition to obtain ration card by Armed Services Personnel.**—No person shall obtain a ration card for himself or any member of his household if he is receiving rationed foodgrains for himself or such member, as the case may be, from any Naval, Military or Air Force authority.

*Note.*—Such service personnel on leave and residing in any rationing area, who are not drawing rationed foodgrains from such authority during the leave period, shall be entitled, to obtain a temporary ration card on application, to the Rationing Officer concerned.

**14. Procedure for import of foodgrains against cancellation of entries on ration card for bonafide household consumption.**—(1) Any person to whom a ration card is issued and who intends to import into a rationing area rationed foodgrains for bonafide household consumption may apply to the State Government or the Controller of Rationing or to any other officer uthorised by Government or controller in this behalf in form X. On receipt of such application, \*the Government or Controller or authorised Officer shall issue or cause to be issued import permit in Form XI or XI-A as the case may be\* on the contion that the cardholders shall present his ration card for cancellation of entries on ration card and get them cancelled for such period as may be

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\*—\* Substituted *vide* G. O. No. ECA-2270-19308-F, dated 7-12-1970.

determined by the Government, Controller or authorised Officer, taking into consideration, the stocks held by him, the stocks imported, number of units on such card, and quantity of all or any rationed foodgrains which the cardholders desires to forego.

(2) If a ration cardholder or any member of his household is a producer of any rationed foodgrains in the rationing area, (being the holder of any agricultural land in that area), he shall present such ration card for cancellation of entries on his card and get them cancelled proportionately in the manner referred to above.

**15. Issue of import and export permits generally.**—Any person to whom an import or export permit is issued in accordance with clause 23 of the Order in Form XII or XIII as the case may be shall use it only for such purpose for which it is issued and comply with such conditions and directions as the State Government or the Controller of Rationing may impose or issue from time to time for Storage, sale or otherwise disposing of the stock imported.

**16. Application for certain changes and obtained a duplicate ration card.**—(1) In case of any change (other than in units) to be made in a ration card, the holder of the ration card shall apply in Form XIV to the Rationing Officer within whose jurisdiction he resides. Failure to inform the change in address shall render such card liable for cancellation.

(2) If a ration card is lost, stolen, torn or defaced, the holder, shall apply for a fresh card in Form XV to the Rationing Officer within whose jurisdiction he resides.

**17. Verification of applications.**—On receipt of any application, under these Regulations, the Rationing Officer may make or cause to be made such inquiry as he deems fit, for verification of the information furnished by the applicant.

**18. Further conditions to be observed by ration shops.**—\*(1) Every ration shop shall, unless exempted by the State Government or Controller of Rationing, Bombay, deposit with State Government a sum of Rs. 5,000 except in the case of shop run by the members of

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\*—\*Substituted vide G. O. No. SAVIVYA-1092-2467-CR-6526-CS-XXVIII, dated 7-6-1993.

Scheduled Caste, Scheduled Tribe, Nomedic Tribes and Co-operative Society who shall deposit Rs. 2,500 in cash or in National Savings Certificates as security for the due performance of the conditions of the authorisation issued to it.\*

(2) Every ration shop shall purchase such stocks of rationed foodgrains as may be released in its favour for distribution and sale, at such rates, as may be fixed by the State Government, on receipt of an indent from such shop and against payment of the cost thereof in the manner prescribed by the Controller.

*Note.*—Every ration shop shall indent for only such quantities of rationed foodgrains as may be required for distribution to consumers for a period of two weeks at a time on the basis of maximum obtainable in relation to the quantum fixed by Government or Controller and the number of cards registered and units thereon, less backlog quantity available in stock purchased during the preceeding period of two weeks. On receipt of indent from a ration shop, the Controller or any other Officer authorised by him shall after verification of indent, issue or caused to be issued Ration Authority in Form VI for purchase of stocks of rationed foodgrains specified therein from Government godowns or from any other agency appointed by Government.

(3) Every ration shop shall—

†(a) always maintain adequate stocks of the rationed Foodgrains,  
 (aa) take adequate measures to ensure that the rationed foodgrains stored by him are maintained in good conditions and that damage to them due to ground moisture, rain, insects, rodents, birds, fire and such other causes is avoided. Suitable dunnage shall be used where necessary to avoid damage from ground moisture. Fertilisers, insecticides and poisonous chemicals likely to contaminate shall not be stored along with the rationed foodgrains in the same godown or shop or in immediate juxtaposition of such foodgrains. It shall further be ensured that at the time of sale, the said foodgrains are in good condition ;†

†—† Substituted *vide* G. O. No. ECA-2268-F, dated 27-3-1969.

\*(aaa) make good the loss of the rationed foodgrains of Government supplied articles due to any theft, misappropriation, hypothecation or any other similar contingency by remitting the amount of equivalent quantity of lost rationed foodgrains or Government supplied articles at retail rates, as the case may be, from the security deposit credited by him, as the Government or the Controller of Rationing, may direct, and shall pay the remaining amount as "arrears of land revenue" in case the value of rationed foodgrains or Government supplied articles lost due to theft, misappropriation etc., is less than the amount of security deposit. Then the Government or the Controller of Rationing will supply to the concerned Authorised Ration shop, equivalent quantity from Government Godowns or any other sources as the case may be, for sale over and above the quantum of the current month, only to those who could not get their quota because of theft, misappropriation etc., done by the Authorised Ration Shop.\*

(b) display a board †in Marathi † showing its authorised number, name, address, retail prices of the rationed foodgrains, time of working, and address of the Rationing Office within whose jurisdiction the shop is conducted. Another board †in Marathi† of the size 45 X 60 centimetres with red letters indicating "ARS No. . . . . ." on white background shall also be displayed;

(c) display the authorisation issued under clause 3 of the Order ;

(d) maintain on the premises of the shop, true and proper accounts with regard to the receipt, distribution and sale of rationed foodgrains, together with all the supporting vouchers and other papers, particularly the following books and registers duly certified in the form prescribed by the State Government or the Controller:—

(i) Visit Book,

(ii) Instruction Book (for instructions of general type by

) Officers not lower in rank than Inspectors,

(iii) Register of Cards,

(iv) Register of Heavy Manual Labourers,

\*—\* Inserted *vide* G. O. No. PDS-1085-8469-(CR-4599)-CS\_XXVIII (A), dated 25-3-1986.

†—† Inserted *vide* G. O. No. PDS-1086-230-(CR-4625)-CS\_XXVIII, dated 18-3-1986.



- (v) File of Godown Bills,
- (vi) File of copies of Indents,
- (vii) Stock Book,
- (viii) Cash Memo Book,
- (ix) Sales Book,
- (x) Complaint Book,

(e) sell the rationed foodgrains to the persons holding household of establishment ration cards issued by the government, on production of such cards according to the quantum and at the prices fixed by the Government or the Controller,

\* (f) record, at the time of issue of rationed foodgrains, actual quantity of each commodity issued to the cardholders in the appropriate column of the ration card representing a fortnight, and issue a cash memo in Marathi in Form XVI whether demanded or not, mentioning distinctly the particulars of the retail rates, the quantity of rationed foodgrains supplied and the price charged therefor.

*Note.*— In case where commodity issued to the cardholder is not mentioned in the ration card, blank-space provided in the card should be utilised for mentioning the name of such commodity.\*

(g) sign in full on the reverse of the first and last cash memo of every day in the morning and evening, as also on the first and last cash memo of every cash memo book, used during the day ;

(h) submit periodically abstract of Register of Cards, and fortnightly return of sales, together with the indent in such form as the Controller may require ;

(i) obey and carry out all such instructions as may be given by the Controller or any other Officer authorised by him, from time to time ;

(j) be held responsible for all the acts of commission and omission of his partners, agents, servants and other persons who are allowed to work in the shop.

\*—\* Substituted vide G. O. No. SAVIYA / 1886 / 232 / (CR4698) / XXVIII, dated 10.9.86

(4) Except under and in accordance with the conditions (if any) of a special permission granted by the Controller of Rationing, no ration shop shall sell rationed foodgrains, obtained from sources other than Government Godown or any agency appointed by Government.

(5) Every ration shop shall be liable for departmental action, or prosecution or both, as the case may be, for the contravention of the provisions of the Order and the Regulations made thereunder or of any instruction, directions or Orders issued under any such provisions or of any of conditions of the authorisation issued to it.

\*(5A) No ration shop shall, without reasonable cause, stop the working of the shop abruptly or allow the shop to remain closed during working hours on any working day, without the prior approval of the Controller. \*

(6) Every ration shop intending to stop the business of supplying rationed foodgrains shall give 30 days previous notice to the Controller to enable him to make alternate arrangements for supplying rationed foodgrains to the household and establishment card holders allotted to the shop.

**@18.A.** Further conditions to be observed by authorised agent —

#(1) Every authorised agent shall, unless exempted by the State Government or the Controller of Rationing, Bombay, deposit with the State Government a sum of Rs. 1,00,000 in cash or in National Saving Certificates as security for the due performance of the conditions of the authorisation issued to him. #

*Note.*—According to G. R. No. SAVIVYA-1092/2467/CR-6526/CS-28, dated 4th February 1994, an authorised agent now require to deposit with State Government Rs. 25,000 instead of Rs. 1,00,000.

(2) Every authorised agent shall purchase, such stocks of rationed foodgrains as may be released in his favour for delivery to his constituent ration shop or establishments, at such rates, as may be fixed by the State Government, on receipt of a consolidated indent from such agent and against payment of the cost thereof in the manner prescribed by the Controller of Rationing.

\*—\* Inserted *vide* G. O. No. ECA. 2268/F, 27.3.1969.

@—@ Inserted *vide* G. O. No. ECA. 2268/F, dated 17.6.1969.

#—# Substituted *vide* G. O. No. SAVIVYA.-1092/2467/CR. 6526/CS. XXVIII, dated 7.6.1993.

*Note.*—\*Every authorised agent shall submit a consolidated indent, within two days (excluding holidays) from receipt of indents from his constituent ration shops and establishments for such quantities of rationed foodgrains as may be required by his constituent ration shops and establishments for distribution to the consumers. \* On receipt of consolidated indent from any authorised agent, the Controller or Rationing or any other Officer authorised by him shall, after verification of the consolidated indent, issue or cause to be issued Ration Authority in Form VI for purchase of stocks of rationed foodgrains specified therein from Government godown or from any other agency appointed by Government.

(3) Every authorised agent shall.—

(a) on taking delivery of rationed foodgrains as aforesaid distribute them to his constituent ration shops and establishments for whom they are earmarked. †On the same calendar day on which the indent is received by him from the godown† at the prices fixed by the State Government or the Controller of Rationing.

#(aaa) make good the loss of the rationed foodgrains or Government supplied articles due to any theft, misappropriation, hypothecation or any other similar contingency by remitting amount of equivalent quantity of lost rationed foodgrains or Government supplied articles at retail rates, as the case may be, from the security deposit credited by him, as Government or the Controller of Rationing, may direct and shall pay, the remaining amount as 'arrears of land revenue' in case the value of the rationed foodgrains or Government supplied articles lost due to theft, misappropriation etc. is less than the amount of security deposit, then the Government or the Controller of Rationing will supply to the concerned authorised ration shop, equivalent quantity from the Government godowns or any other source, as the case may be, for further sale to the cardholders at the existing retail rate and the quantum fixed by the Government or the Controller of Rationing, over and above the quantum fixed for the current month.#

(b) display at his office the authorisation issued under clause 3 of the Order :

\*—\* Substituted *vide* G. O. No. ECA. 2269/36406—F, dated 18.8.70.

†—† Substituted *vide* G. O. No. SAVIVYA-1088/2550/CRS316/XXVIII, dated 28-9-1989.

#—# Inserted *vide* G. O. No. PDS -1085/3469/CR 4599/CS- XXVIII(A), dated 25.3.1986.

(c) maintain in his office true and proper accounts with regard to the receipt and distribution of rationed foodgrains to his constituent ration shops and establishment together with all the supporting vouchers and other papers, particularly the following books and registers duly certified in the form that may be prescribed by the State Government or the Controller of Rationing, from time to time :

(i) Visit Book ;

(ii) Instruction Book (for instructions of general type by Officers not lower in rank than that of Inspector) ;

(iii) File of challans in respect of deliveries of rationed foodgrains to constituents ration shops and establishments.

(iv) File of copies of indents ;

(v) Stock Book (including account of delivery of orderwise distribution of stocks) ;

(d) Submit periodically such returns and reports in connection with the purchase and distribution of rationed foodgrains to his constituents in such form as the Controller may require ;

(e) obey and carry out all such instructions as may be given by the Controller or any other Officer authorised by him, from time to time ;

(f) be held responsible for all the acts of commission and omission of his office bearers, partners, agents, representatives, servants and other persons who are allowed by him to work in connection with the purchase and distribution of rationed foodgrains and to maintain accounts relating to all such transactions.

\**Explanation.*— Any person accompanying the vehicle engaged by or on behalf of the authorised agent for transport or movement of rationed foodgrains including the driver, cleaner and hamals, shall be deemed to be the servants of the authorised agent, for the purpose of these regulations. \*

(4) Except under and in accordance with the conditions (if any) of a special permission granted by the Controller of Rationing, no authorised agent shall sell rationed foodgrains obtained from source other than Government Godown or any agency appointed by Government.

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\*—\* Added *vide* G. O. No. SAVIYA/1088/2550/CR-5316/XXVIII, dated 28.9.89.