

# TOVERNMENT OF TRIPURA DIRECTORATE OF FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRES

Nov. 6 16(D CS/DF/2009 to

Dated, Agartala, the 30/7,

To
The Sub-Divisional Magistrate,
Dharmanagar, Kailasahar, Kanchanpur,
Udaipur, Santirbazar, Sabroom, Belonia, Amarpur,
Ambassa, Gandacharra, Kamalpur, Longtharaivally,
Bishalghar, Teliamura, Khowai, Sonamura, Sadar.

The Officer in Charge, Agartala Rationing Authority.

Subject: The Tripura Food Stuff Dealers, Licensing Order, 2010, Ga Notification thereof.

Sir,

In inviting a reference to the Order of even number of 28/1/26 the Deputy Secretary, Food Civil Supplies and Consumer Affaires Depar Government of Tripura on the above subject, I would enclose herewith a c Order vide No. 14 as published in the Gazette of Tripura on 4/2/2010 for information and necessary action.

Enclos As stated.

Director
Food civil supplies
Consumer affaires
Tripura

Yours faithfully

Copy with copy of the Order is forwarded for information and necess action to:-

1-4) The District Magistrate & Collector, South(Udaipur), North(Kadasai et Dhalai(Ambassa) & West(/., atala).

5-5) The Superintendent of Police, South (Udaipur), North (Kailasahar), Dhalai(Ambassa) & West(Apartola).

(EB), A.D.Nagar, Agartala.

10 11 The General Secretary, Tripura Wholesale Grocery Merchant Associa N.S. Road, Agartala. / The Secretary, Agartala Retail Merchant Associa Battala, Agartala.

12) The Latigation Section of this Directorate.





# GAZETTE

#### Published by Authority

#### **EXTRAORDINARY ISSUE**

Agartala, Thursday, February 4, 2010 A.D., Magha 15, 1931 S.E.

PART-I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

NO.F.6-16 (1)-CS/DF/2009-10

Dated, Agartala, the 28th January, 201

#### ORDER

In exercise of the powers conferred under Section 3 of the Essential Commodities Act, 1955 (10 of 195 read with the order(s) of Government of India, Ministry of Consumer Affairs, Food & Public Distribution (Departme of Consumer Affairs) vide Nos S.O.649 (E) dated 09.03.2009, G.S.R. 164 (E) dated 12/3/2009, S.O. 905 (E) dated 0 04/2009, S.O. 906 (E) dated 02/04/2009, the State Government G.S.R 640 (E) dated 07/09/2009 and S.O 2461 (E) dated 25/09/2009 do hereby make the following Order, namely:

#### 1. SHORT TITLE, EXTENT AND COMMENCEMENT :-

- (i) This Order may be called the "Tripura Foodstuff Dealers' Licensing Order, 2010".
- (ii) This Order shall come into force from the date of its publication in Official Gazette.

#### 2 DEFINITIONS: -

In this Order, unless the context otherwise requires, -

- (a) "State Government" means the Government of Tripura;
- (b) "deater" means a person, registered firm / society engaged in the business of purchase, sale c storage for sale either in wholesale or in retail of any one or more of the foodstuff in any quantit whatsoever;
- (c) "Foodstuffs" means any one or more of the foodstuffs specified in 'Schedule-I' annexed to thi Order including products of such foodstuffs;
- (d) "Refail dealer" means a dealer who sells any foodstuffs in retail to persons other than wholesale dealer;
  - For the purpose of this sub-clause, the Retail Dealer shall be classified as "Retail Dealer -A" and "Retail Dealer B" according to the quantity of item stored at any point of time in his/her business premion are preceding in the order;
- 1.11 "tradessle Dealer" means who imports foodstuffs from outside the State and or sells the foodstuffs to retail dealer for the purpose of re-sale;
- (f) "Form" means a form set-forth in 'Schedule II' annexed to this Order; and
- (ii) "Licensing Authority" means the Director of Food, Civil Supplies & Consumer Affairs, Government of Tripura (for the whole State), Sub-Divisional Magistrate of the respective Sub-Division within their administrative jurisdiction and the Officer-in-Charge, Agartala Rationing Authority within the Agartala Municipal Council area to perform all or any of the functions of the licensing authority under this Order.

3. LICENSING OF DEALERS AND RESTRICTION ON STORAGE: -

- (1) No person shall carry on business as dealer except under and in accordance with the terms and conditions of a license issued in this behalf by the licensing authority.
- (2) For the purpose of this clause, any person who stores any foodstuff in excess of the quantities mentioned below, at any one time shall, unless the contrary is proved, be deemed to store the same for the purpose of sale: -

"Sugar :- 50 Kilograms
Rice :- 300 Kilograms
Pulses :- 50 Kilograms
Salt :- 50 Kilograms
Edible Oil :- 30 Kilograms
Edible Oil seeds:- 100 Kilograms\*.

(2A) For the purpose of this clause, any 'Retail dealer-A' as defined under sub clause (d) of Clause-2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time:-

"Sugar :- 200 Kilograms
Rice :- 1000 Kilograms
Pulses :- 200 Kilograms
Salt :- 200 Kilograms
Edible Oil :- 100 Kilograms
Edible Oil seeds:- 300 Kilograms".

(2B) For the purpose of this clause, any 'Retail dealer-B' as defined under sub clause (d) of Clause-2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time:

"Sugar : 1000 Kilograms
Rice : 3000 Kilograms
Pulses : 2000 Kilograms
Salt : 2000 Kilograms
Edible Oil : 750 Kilograms
Edible Oil seeds : 1500 Kilograms

(AC) I or the purpose of this clause, any 'Wholesele dealer' as defined under sub-clause (e) of the purpose of the store in excess of the quantities of the following foodstuff mentioned below, a may point of time '-

i) Sugar - 1000 quintals. ii) Rice 2000 " iii) Pulpes 1209 "

iv) Salt 1000 quintals 1000 v) Edible Oil 5000 vi) Edible Oilseeds

Provided that nothing in this order shall apply to the holding or keeping of stock of Foodstuffs on Government account, or (i)

- by the recognized dealers nominated by the State Government or an officer authorized by it (ii) to hold stock for distribution through Fair Price Shops; or
- (iii) by the Food Corporation of India.
- A separate license shall be obtained by a dealer for each place of business. No storage of any foodstuff is allowed other than place/ places as specifically mentioned in the license.

#### ISSUE OF LICENCE:-

- Every application for a license or renewal thereof shall be made to the licensing authority in -i) 'Form-A' of Schedule-II.
- Every license issued or renewed under this Order shall be in 'Form 'B' of Schedule-II ii)
- PERIOD OF LICENSE AND FEES CHARGEABLE: -5
- Every linense granted under this Order shall be valid for a period ending the 31st December of the year in which it is issued and may be renewed for a period of one year at a time.
- The fees for 'Retail dealer-A' specified below shall be chargeable in respect of each license, iomely: -
  - For issue of license

- Rs. 50/-

ii For renewal of license

- Rs. 25/-

- Rs. 50/-

- iii. For issue of duplicate license
- iv. For filing an application for renewal after the licensed year, late fee for every month

or part thereof is Rs. 5/-

The loss for 'Retail dealer-B' specified below shall be chargeable in respect of each license, 40 amely: -

For issue of license.

Rs 100/-

For renewal of ficense.

- Rs. 50/

ili. For issue of duplicate license.

- Rs. 100/-

- is. For filing an application for renewal after the licensed year, tate for every month or part thereof is Rs. 10/-
- The First Lie wholesale denter specified below shall be chargeable in respect of each license, 11,15 . 12

For estue of license

- Rs.300/-

For renewal of license-

- Rs. 150/-

iii. For issue of duplicate license - Rs. 30

- iv. For filing an application for renewal after the licensed year, late fee for every month or part thereof is Rs.20/-
- (3) For the purpose of this clause, lees chargeable shall be deposited under the Head "Revenue Deposit\*through government treasury.

### POWER TO REFUSE LICENSE:

The Licensing Authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a license.

# 7. DISPLAY OF STOCK AND SALE PRICE BY THE DEALER :-

All Dealers shall display prominently in some conspicuous place of their shops or show rooms, -

- (a) a list indicating the opening stock of each of the foodstuff available with them each day, and
- (b) a list containing the wholesale / retail selling price, as the case may be, each of the foodstuff sold by them.

## 8. DEALER TO ISSUE CASH MEMO FOR EACH SALE.

Each dealer shall issue a true and correct cash memo to the Retail dealer / purchaser against the sale of each item of foodstuffs indicating the price realized by the dealer.

## 9. CONTRAVENTION OF CONDITIONS OF LICENCE:

No holder of a license issued under this Order, shall contravene any of the terms or conditions of the license and if any such holder contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by order in writing of the licensing authority.

Provided that no order shall be made under this clause unless the licensee has been given a

reasonable opportunity of stating his case against the proposed cancellation or suspension.

- in APPEAL: .
- (1) Any person aggrieved by any order of the licensing authority refusing to grant or renew a license or cancelling or suspending a license under the provisions of this order may appeal to the licensary in charge of Food, Civil Supplies & Consumer Allairs Department, Government of Tripura within 30 days of the date of the receipt of such Order by him / her.
- No order shall be made under this clause unless the aggrieved person has been given a stating his / her case.
- Pending the disposal of an appeal, the State Government may direct that the order refusing to enew a license or the order cancelling or suspending a license shall not take effect until the appeal is issued of.

#### 11. POWERS OF ENTRY, SEARCH, SEIZURE ETC:-

- (1) The licensing authority or any other officer authorized by the State Government in this behalf, may with such assistance, if any, as he thinks fit;
- 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 license issued there under has been, is being, or is about to be committed, to produce any book, accounts or other documents wowing transactions relating to such contraventions;
- enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of conditions of any license issued there under, has been, is being or is about to be committed;
- take or cause to be taken, extracts from or copies of any documents showing transactions relating to such contraventions which are produced before him;

search, seize and remove stocks of foodstuffs and the animals, vehicles, vessels or other conveyances used in carrying the said foodstuffs in contravention of the provisions of the Order, or of the conditions of the licenses used there under and thereafter take or authorize the taking of all measures necessary for securing the production of stocks of foodstuffs the animals, vehicles, vessels or other conveyances, so seized, in a court and for their safe custody pending such productions.

The provisions of Sections 102 and 103 of the code of Criminal Procedure, 1973, relating to exact and a rear shall, so far as may be, apply to searches and seizure under this clause.

#### DELECATION OF POWERS:

The following officers have been authorized to exercise powers and perform the duties specified to Claure - 10 of the Order within the limits of their respective jurisdiction:-

- AN Pistrict Conjistrate & Collectors
- (ii) All Addition of District Magistrate & Collectors
- (#ii) All Sub-Divisional Magistrates / Additional Sub-Divisional Magistrates.
- (iv) All Dequity Collector & Magistrates
- The Sub-respect of
- (a) All Police ( Trus not below the rouk of Sub-Inspector.

#### The Case of the Ca

(i) : 'dipura Foodstuff Declero Licensing Order 1958" and "the Tipura translated Vegetable this beaters' Licensing Order, 1967" are hereby rescind.



(ii) Notwithstanding such rescind, anything done or any action taken under the Tripura Foodstuff Dealers' Licensing Order 1958 and Tripura Hydrogenated Vegetable Oils Dealers' Licensing Order, 1967 shall not affect. In so far as it is not inconsistent with the provisions of this Order, be deemed to have been done or taken under the corresponding provisions of this Order.

By order of the Governor,

S. Debbarma Deputy Secretary, Government of Tripura.

### SCHEDULE - I

- Rice. 1. Sugar. Salt. 3. Pulses. 4. Edible Oil [excluding H. V. Oil and Coconut Oil] Edible Oil seeds. 5.

#### SCHEDULE - II FORM A

[ (See Clause 4 (i) ]

# The Tripura Foodstuffs Dealers' Licensing Order, 2010. Application for license:

1.	Applicant's name						
2	Applicant's Fathers name :-						
2.	Applicant's profession :-						
3.	Applicant's residence :-						
2 2. 3.	Situation of applicant's places of business with particulars as to number of house, monalia, town of village, police station and district :-						
5.	How long the applicant has been trading in foodstuffs:-						
5. 5.	Did the applicant hold a foodstuffs license on any previous occasions? (If so, give particulars including						
	its suspension or cancellation, if any)						
	Quantities of each foodstuff handled annually during the previous year (s).						
Avantition of foodstuffs likely to be transferd							
}	Professional Tax / Income tax, if any paid in the two years preceding the year of application (to be						
	indicated separatoly).						
	a)						
	h)						
0	the profession and the date of pactication and the places						
	-						
	(a) Therefore guly for renewal of license No						
lace	N N 1900 N						
ale							
* 24.52	Signature of the applicant.						



#### FORM - B [See clause 4(ii)]

	The Tripura Foodstuffs Dealers' Licensing Order, 2010.				
	License for purchase, sale/storage for sale of foodstuffs				
Category of license					
•	License No	*. **			
Subject to the provisions of the Tripura Foodstuffs Dealers' Licensing Order, 2010, and to it terms and conditions of this license					
		***************************************			
		***************************************			
		``;			
	The licensee shall carry on the aforesaid business at the	e following place;-			
***************************************					
		••••••			
		122			

- The licensee shall, except when specially exempted by the State Government or by the sing authority in this behalf, maintain a register or daily accounts for each of the foodstuffs mentioned in graph I, 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:
  - the quantitios delivered or otherwise removed on each day showing the places of destination; and
  - (d) the closing stock on each day.
- The licensee shall complete his accounts for each day on the day to which they relate, showing own-wise stock, unless prevented by reasonable cause the burden of proving which, shall be upon him.
- A licensee who is a producer himself shall separately show the stocks of his own produce in the account if such stocks are stored in his business premises.

The licensee shall, except when specially exempted by the State Government or by an Officer prized by the State Government in this behalf, submit to the concerned licensing authority a true and correct return, in form 'C' of the stocks, receipts and deliveries of each of the foodstuffs for every month (1st to last of the month) no as to reach him within 7 (seven) days of the succeeding month after the ending of the ഷ്ത്യ കാണ്.

The licensee shall, except when specially exempted by the State Government or by the licensing prity in this behalf, issue to every customer a correct receipt or invoice, as the case may be, giving own address and license number, the name, address and license number (if any) of the customer, the date of action, the quantity sold, the price per quintal/Kg and the total amount charged and shall keep a duplicate of one to be available for inspection on demand by the licensing authority or any officer authorized by him in ichalf.

- 6. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorized 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, sale or purchase of foodstuffs and for the taking of samples of foodstuffs for examination.
- 7. The licensee shall comply with any direction, that may be given to him by the Licensing Authority in regard to purchase sale and storage for sale, of foodstuffs and in regard to the language in which the register, returns, receipts or invoices mentioned in paragraph 3, 4 & 5 shall be written and the authentication and maintenance of the register mentioned in paragraph 3.

8,	This license shall be attached to any application for renewal.
9.	This license shall be valid upto
Place Date	

Signature of the Officer Issuing the license.

### FORM --- 'C'

	Returns of stocks, receipts	(See condition 4 of F and sales of Foodstuffs for t	om B)	J200				
Name of Licensee License No Address		÷	Category of lice	Category of license :				
Particulars of godowns where stock held								
Particula	ers. Quantity in quintals, Re	marks if any.		•				
1.	Stocks at the beginning of (a) Actually with the stock (b) Pledged with any pers		ank or co-operat	tive society. Total. :-				
5	Quantity purchased during	the month and source of su	oply.	Total.				
<b>3</b> .	Quantity sold, (a) Quantity sold and deli (b) Quantity sold but not	ivered during the month. yet delivered.		Total.				
A.	Stock at the end of the mo (a) Actually with the stock (i) unsold. (ii) sold but awaiting d (b) pledged with any other	kist.	s bank or a co-o	perative society. Total				
"ij 1 Ekidol	eng Authority.			District				
First .								

SIGNATURE.







# GAZETTE

## **Published by Authority** EXTRAORDINARY ISSUE

Agartala, Saturday, August 7, 2010 A. D. Sravana 16, 1932 S. E.

PART-I—Orders and Notifications by the Government of Tripura, the High Court, Government Treasury etc.

Government of Tripura Food, Civil Supplies and Consumer affairs Department

lo. F. 6-16(1)-CS/DF/2009-10/15,600

Dated, Agartala, the 30th July, 2010.

In exercise of the powers conferred by Section 3 of the Essential Commodities Act 955 (10 of 1955) read with the order No. 11/29/2007-ECR & E dated 23/3/2010 of the Bovernment of India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs, New Delhi and Order No. 1(17)-98-SPY. D. II, dated 13/04/2010 of the Bovernment of India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Food & Public Distribution, New Delhi, the State Government hereby makes the following Amendment namely :--

- Short title, extent and commencement :--1.
  - This Order may be called the "Tripura Foodstuff Dealers Licensing (i) (1st Amendment) Order, 2010".
  - This Order shall come into force immediately on its publication in the (ii) Official Gazette.
- Amendment to sub-clause (2C) of Clause--3 :--

In the "Tripura Foodstuff Dealers Licensing Order, 2010" (hereinafter referred to as the 2. Principal Order) in sub-clause (2C) of Clause 3, the figure '2000' shall be substituted for the figure '1000' occurring as against "Sugar" at Serial No. (i).

Insertion of a new proviso to sub-clause (2C) of Clause 3 and an Explanation thereto. After the words and figure 'vi) Edible Oilseeds-5000' of sub-clause (2C) of Clause 3 3. the following proviso shall be added, namely--

'Provided that no wholesale dealer of sugar shall hold any stock of sugar for a period exceeding thirty days from the date of receipt by him of such stock.

Explanation: For the purpose of the Notification --

(i) For counting the period of holding of the stock, the date on which any stock is received by the wholesale dealer of sugar shall be included'.

## 4. Insertion of a new Clause :--

After the Clause 13 of the Principal Order, the following new Clause shall be added,

"14. This Order shall remain in force concurrently with the validity of the Central Order issued under No. S. O. 2461 (E) dated 25th September, 2009 referred to in the preamble of this Notification".

## 5. Amendment to the Schedule--I :--

(i) In the Principal Order in SCHEDULE--I, the figure and word "4. Salt" appearing at Serial No. 4 shall be omitted and the subsequent Serial No. 5 & 6 shall renumbered as 4 & 5 respectively.

By Order of the Governor,

B. K. Ray
Commissioner & Secretary,
Government of Tripura.

Tripura Gazette, Extraordinar, Issue -- 12 24 21 1 + 1

## GOVERNMENT OF TRIPURA FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

No. F.6-16(1)-CS/DF/2009-10 (P-1)/13271-301

Dated, Agana a the 11th -- , 2013.

## NOTIFICATION

In exercise of the power conferred by Section-3 of the Essential Commences and 1855 (10 of1955) read with order No.11/29/2007-ECR & E dated 21/24,6.2013 of the Government and India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs New Delhi, the State Government hereby makes the following Amendment, namely:

# Short title, extent and commencement :-

- (i) This Order may be called the "Tripura Food stuff Dealers Licensing (273 Amendment) Order, 2013".
  - (ii) This Order shall come into force from the date of its publication in the official Gazette.

# 2. Amendment to Schedule-I:

In the "Tripura Food stuff Dealers Licensing Order, 2010" (hereinafter referred to as Principal Order) in SCHEDULE-I, following modification is made:-

The words Sugar and Rice appearing at SI.No. 1 and 2 respectively of Schedule-1 shall be omitted and subsequent serial No. 3, 4 & 5 shall be renumbered as serial No. 1, 2, & 3.

Dr. D.Basu Additional Secretary Government of Tractical

# GOVERNMENT OF TRIPURA FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

Khadya-O-Bhokta Bhawan, P.N.Complex, Gurkhabasti, Agartala

NO.F.6-16(1)-CS/DF/2009-10/14150-56

Dated, Agartala, the 24th September, 2014.

#### NOTIFICATION

In exercise of the powers conferred by Section-3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order of the Government of India, Ministry of Consumer Affairs, Food & Public Distribution (Department of Consumer Affairs), New Delhi vide No. S.O. 1685(E) dated 3<sup>rd</sup> July'2014, the State Government hereby makes the following amendment, namely:-

#### 1. Short title, extent and commencement:-

- (i) This Order may be called the "Tripura Foodstuff Dealers' Licensing (3<sup>rd</sup> Amendment) Order'2014".
- (ii) This Order shall come into force from the date of its publication in the Official Gazette.

## 2. <u>Amendment of sub-clause-(2) of Clause-3</u>:-

(i). In the "Tripura Foodstuff Dealers Licensing Order' 2010" (hereinafter referred to as the Principal Order), in sub-clause-(2) of Clause 3, the following words and figures shall be inserted below after the words and figures, "Edible Oil seeds:- 100 Kgs";

"Onion

: 50 Kgs.

Potato

: 100 Kgs."

## (ii) <u>Amendment of sub-clause-(2A) of Clause-3</u>:

In the sub-clause-(2A) of Clause-3 of the Principal Order, the following words and figures shall be inserted below after the words and figures, "Edible Oil seeds: 300 Kgs";

"Onion

: 200 Kgs.

**Potato** 

: 300 Kgs".

### Amendment of sub-clause-(2B) of Clause-3: (iii).

In the sub-clause-(2B) of Clause-3 of the Principal Order, the following words and figures shall be inserted below after the words and figures, "Edible Oil seeds:- 1500 Kgs";

"Onion

: 750 Kgs.

Potato

: 1000 Kgs."

#### Amendment of sub-clause-(2C) of Clause-3: (iv).

In the sub-clause-(2B) of Clause-3 of the Principal Order, the following words and figures shall be inserted below after the words and figures, "Edible Oil seeds: 5000 Qtls";

"Onlon

: 500 Qtls.

Potato

: 1000 Qtls."

### Insertion of a new sub-Clause under Clause-3 :-(v).

After sub-clause-(3) of Clause-3 of the Principal Order, following new sub-Clause shall be added, namely :-

Every Licensee shall have to declare the receipt of stocks of Foodstuffs under "(4) SCHEDULE-I and their stocks retained by them to the Licensing Authority".

#### Amendment of SCHEDULE-1: 3.

In the principal order in SCHEDULE-I, following words and figures namely, '4. Onion' and '5. Potato' shall be inserted.

By Order of the Governor,

(S. Bandopadhyay) Special Secretary to the Government of Tripura.