

## **IMPORTED FOODGRAINS (PROHIBITION OF UNAUTHORIZED SALE) ORDER, 1971**

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## **IMPORTED FOODGRAINS (PROHIBITION OF UNAUTHORIZED SALE) ORDER, 1971**

G.S.R. 1922 dated 20th December, 1971 1. -In exercise of the powers conferred by sub-rule (2) of rule 114 of the Defence of India Rules, 1971, the Central Government hereby makes the following Order, namely :

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

- (1) This Order may be called the Imported Foodgrains (Prohibition of Unauthorized Sale) Order, 1971.
- (2) It extends to the whole of India.
- (3) It shall come into force at once.

### **2. Definitions :-**

In this Order, unless the context otherwise requires,-

- (a) "authorized dealer" means a dealer authorized by the Central Government or a State Government or by a duly authorized officer of the Central Government or a State Government, to run a fair price shop or ration shop at which importer foodgrains are or may be sold;
- (b) "Food Corporation of India" means the Food Corporations of India, established under S.3 of the Food Corporation Act, 1964;
- (c) "imported foodgrains" means foodgrains imported from outside

India by the Central Government and supplied by that Government either directly or through a State Government, or through the Food Corporation of India, to authorized dealers for sale to the public for bona fide domestic consumption.

**3. Prohibition of unauthorized sale of imported foodgrains :-**

No person other than an authorized dealer shall sell or store or offer for sale, imported foodgrains in any quantity, either split or unsplit or mixed with other grains.

**4. Prohibition of sale of imported foodgrains at excessive prices :-**

The prices at which imported foodgrains may be sold or offered for sale by an authorized dealer shall not exceed such prices as are fixed by the Central Government or State Government and notified in the Official Gazette from time to time for sale of such foodgrains.

**5. Saving :-**

Nothing contained in this Order shall apply to-

(i) the sale or storage for sale of imported foodgrains on Government account or on account of the Food Corporation of India; or

(ii) the re-sale by a person of imported foodgrains sold by the Central Government or a State Government by auction or by tender, or

(iii) the sale by a wholesale dealer authorized by the Central Government or a State Government to another authorized dealer; or

(iv) the sale by banks, under prior intimation to the State Government concerned, of stocks of imported foodgrains hypothecated to them.

**6. Powers of entry, search, inspection and seizure.-Any police officer :-**

not below the rank of head constable or any other person authorized by the Central Government or a State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,-

(a) stop, search and inspect or authorize any person to stop, search and inspect, any person, boat, motor, or any vehicle used or intended to be used for movement of imported foodgrains for sale

or storage for sale;

(b) enter, search and inspect or authorize any person to enter, search and inspect any place;

(c) seize or authorize the-seizure of any article in respect of which he has reason to believe that a contravention of the Order has been, is being, or is about or likely to be, committed.

**7. Forfeiture :-**

Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass direct that any stock of imported foodgrains in respect of which the Court is satisfied that this Order has been contravened, including any packages, coverings or receptacles in which such imported foodgrains are found and any animal, vehicle, vessel or other conveyance used in carrying such imported foodgrains shall be forfeited to Government.