

## **INTER-ZONAL WHEAT AND WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1964**

### CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Prohibition of export and import of wheat and wheat products
4. Restriction on the movement of wheat or wheat products to or within zonal border area
5. Restriction on the movement of wheat or wheat product to or within the external border area
6. Exemption
7. Power of entry, search, seizure, etc

### **SCHEDULE 1 :- THE SCHEDULE**

## **INTER-ZONAL WHEAT AND WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1964**

G.S.R. 511, dated the 23rd March, 1964.-In exercise of the powers conferred by Sec. 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely :

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

- (1) This Order may be called the Inter-zonal Wheat and Wheat Products (Movement Control) Order, 1964.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force at once.

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

In this Order, unless the context otherwise requires,-

(a) "export" means to take or cause to be taken by any means whatsoever out of any place within a zone to a place outside it;

<sup>1</sup>[(b) "external border area" means the area within a ten-mile belt all along the border lying within the State of Punjab, Rajasthan or Gujarat adjoining the territory of West Pakistan;]

(c) "import" means to take or cause to be taken, by any means whatsoever, into any place within a zone from a place outside it;

(d) "State Government" means the Government of any State included in a zone and includes the Administrator of a Union territory;

<sup>2</sup> [(e) "wheat" includes split wheat and any mixture of wheat-

(i) and gram or barley in which the proportion of wheat exceeds 4 per cent.;or

(ii) and other foodgrains in which the proportion of wheat exceeds two per cent.];

(f) "wheat product" means wholemeal atta, resultant atta, maida, suji or rawa;

(g) "zone" means any of the territorial units of India consisting of a State or States or Union territories or any portion of any Union Territory as specified in the Schedule annexed to this Order;

(h) "zonal border areas" the area within a five-mile belt all along the border of a zone adjoining the territory comprising another zone or as the case may be, the area lying outside any of the zones.

1. Subs. by G.S.R. 562, dated the 14th April, 1967, published in the Gazette of India, Pt. II, Sec. 3(i), dated the 22nd April, 1967.

2. Subs. by G.S.R. 948, dated the 20th May, 1968, published in the Gazette of India, Extraordinary. Pt. II, Sec.3(i), dated the 20th May, 1968.

### **3. Prohibition of export and import of wheat and wheat products :-**

(1) No person shall export or attempt to export or abet the export of wheat or any wheat product except under and in accordance with a permit issued by the Central Government or by the Government of the State from which such wheat product is to be exported or by an officer authorized in that behalf by the Central Government or, as the case may be, by the Government of that State.

(2) No person shall import or attempt to import or abet the import of wheat or any wheat product except under and in accordance with a permit issued by the Central Government or by the

Government of the State into which such wheat or wheat product is to be imported or by an officer authorized in that behalf by the Central Government or, as the case may be, by the Government of that State : Provided that nothing contained in sub-clause (1) or sub-clause (2) shall apply to the export or import of wheat or any wheat product-

(i)<sup>1</sup>[\*\*\*]

(ii) on Government account; or

(iii) under and in accordance with Military Credit Notes; or

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

<sup>2</sup>[(v) by or under the authority of the Dandakaranya Development Authority]: <sup>3</sup>[Provided further that nothing contained in sub-clause (1) or sub-clause (2) shall apply to -

(i) the export of wheat or any wheat product out of any place within Zone I to any place within the State of Jammu and Kashmir;

(ii) the import of wheat or any wheat product into any place within Zone I from any place within the State of Jammu and Kashmir.]

<sup>4</sup>[(iii) the export of wheat or any wheat product out of any place within Zone II to any place within the Union territory of Delhi or import of wheat or any wheat product from Zone II to any place within the Union territory of Delhi]: Provided also that it shall be lawful for a person to export or import under and in accordance with <sup>5</sup>[ a permit granted by the State Government or by any officer authorized in this behalf by the State Government] having jurisdiction in this behalf-

(a) seed wheat for bona fide agricultural purposes; or

(b) wheat produced on land owned or cultivated by the person seeking such export or import for personal domestic consumption at his place of residence: <sup>6</sup>[Provided also that it shall be lawful for a person ordinarily residing outside the <sup>7</sup>[Zone III] (comprising the State of Madhya Pradesh) to take wheat from any place within those limits into his place of residence under and in accordance with a permit issued in that behalf by-

(a) the Director of Food Supplies, Madhya Pradesh, or the Collector having jurisdiction if such wheat is received by such person as wages in kind for the work done by him within those limits;

(b) the Government of Madhya Pradesh or by any authority authorized in this behalf by that Government if such wheat is the produce of land owned or cultivated by him in Madhya Pradesh and required for bona fide seed purposes or for consumption by himself and the members of his family]: <sup>8</sup>[ \* \* \* \* ]. <sup>9</sup>[Provided also that nothing contained in sub-clause (1) or sub-clause (2) shall apply to the export of wheat product not exceeding five kilograms in weight in the aggregate by a bona-fide traveller as part of his luggage in the case of zones other than the zones comprising (i) the State of Uttar Pradesh <sup>10</sup> [Zone II)], (ii) the State of Madhya Pradesh (Zone III) and (iii) the State of Gujarat and the area comprising Daman and Diu and the Union Territory of Dadra and Nagar Haveli (Zone VII) and the import of wheat or any wheat product not exceeding five kilograms in weight in the aggregate so carried by a bonafide traveller into any zone.]

1. Omitted by G.S.R. 90, dated the 6th January, 1965, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (ii), dated the 6th January, 1965. Clarification Note--The effect of the amendment would be that the concession granted to the bona fide travellers to carry one kilogram of wheat or wheat products in the aggregate as part of their luggage outside any wheat zone has been withdrawn with immediate effect.)

2. Ins. by G.S.R. 262, dated the 15th February, 1966, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 15th February, 1966.

3. Subs. by Notification No. G.S.R. 622, dated the 28th March, 1968, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 28th March, 1968.

4. Ins. by G.S.R. 139, dated the 13th January, 1969.

5. Subs. by G.S.R. 781, dated the 25th April, 1968, published in the Gazette of India, Pt. II, Sec. 3d, dated the 25th April, 1968.

6. Subs. by G.S.R. 1504, dated the 21st September, 1966, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated the 1st October, 1966.

7. Subs. by G.S.R. 622, dated the 28th March, 1968, for the expression "Zone II".

8. Omitted by G.S.R. 622, dated the 28th March, 1968.

9. Ins. by G.S.R. 1666, dated the 30th October, 1967, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 30th October, 1967.

10. Subs. by G.S.R. 622, dated the 28th March, 1968, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i) dated the 28th

March, 1968.

**4. Restriction on the movement of wheat or wheat products to or within zonal border area :-**

No person shall move, attempt to move or abet the movement of wheat or any wheat product-

(a) to any place in the zonal border area from any place outside that area;

(b) from any place in the zonal border area to any other place in that area, except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an officer authorized in that behalf by the Government.

**5. Restriction on the movement of wheat or wheat product to or within the external border area :-**

No person shall move, attempt to move or abet the movement of wheat or any wheat product-

(a) to any place in the external border area from any place .outside that area; or

(b) from any place in the external border area to any other place in that area, except

**6. Exemption :-**

**1**

[(1)

(a) Nothing contained in Cl. 3 shall apply to-

(i) the export of maida, suji or rawa by the owner or by any other person in charge of roller flour mill licenser under the Wheat Roller Flour Mills Licensing and Control Order, 1957;

(ii) the import of maida, suji or rawa by any person : Provided that where the maida, suji or rawa is imported from any place whether inside or outside any zone, the consignor of such maida, suji or rawa shall be the owner or another person in charge of a roller flour mill licensed under the said Order.

(b) Nothing contained in sub-clause (1) (a) shall apply to any area where statutory rationing is in force.]

**2**[(1-A) Nothing contained in sub-clause (3) shall apply to the export of resultant atta from any place within **3**[Zone VIII] by the Food

Corporation of India and the import, by any person, of the resultant atta so exported.]

(2) Nothing contained in Cl. 4 or Cl. 5 shall apply to the movement of wheat or any product, as the case may be-

(i) on Government account;

(ii) under and in accordance with Military Credit Notes; or

(iii) within the same town or village in the zonal border area or in the external border area, or

(iv) not exceeding twenty kilograms in weight in the aggregate at one time by a bona fide resident of the zonal border area or of the external border area for domestic consumption; or

<sup>4</sup>[(v) \* \* \* ]

(vi) received by way of gift under the Indo-U.S. 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:

(vii) from a village in the zonal border area or in the external border area to the nearest grain market (mandi) for the purpose of sale, whether such market is within or outside any such area:

<sup>5</sup>[(viii) by or under the authority of the Dandakaranya Development Authority]: <sup>6</sup>[Provided also that nothing contained in Cl. 4 or Cl. 5 shall apply to the

(i) the State of Uttar Pradesh,

(ii) the State of Madhya Pradesh and the State of Gujarat and the area comprising Daman and Diu in the Union Territory of Goa, Daman and Diu, and the Union Territory of Dadra and Nagar Haveli;]

<sup>7</sup>[(ix) to Pathankot town in Pathankot District from any place in the State of Punjab other than any place in external border area for purpose of sale;]

<sup>8</sup>[(x) to any-place in the zonal border area in the State of Uttar Pradesh <sup>9</sup>[Zone II] from any place in that State or from any place in the zonal border area of that State to any other place in that area;]

**10** [(xi) to Shahdara market in the Union Territory of Delhi from any place within Zone I comprising the States of Punjab and Haryana and the Union Territories of Delhi, Himachal Pradesh and Chandigarh.]

**11** [ (xii) to and from any place in the zonal border area in the State of Haryana from any place within Zone I comprising the States of Punjab and Haryana and the Union Territories of Delhi, Himachal Pradesh and Chandigarh.]

1. Subs. by G.S.R. 1832, dated the 8th December, 1965. published in the Gozete of India, Extraordinary, Pt. II, Sec. 3 (i), dated the 8th December, 1965.

2. Added by G.S.R. 780, dated the 8th May, 1965.

3. Subs. by G.S.R. 622, dated the 28th March 1968, published in the Gazette of India. Extraordinary, Pt. II, Sec. 3(i). dated the 28th March, 1968.

4. Omitted by G.S.R 90, dated the 6th January, 1965, published in the Gazette of India, Extraordinary, dated the 6th January, 1965. The following is only a clarificatory note and does not form part of the Order. The effect of the amendment would be that the concession granted to the bona fide travellers to carry one Kilogram of wheat or wheat products in the aggregate as part of their luggage out-side any wheat zone has been withdrawn with Immediate effect.

5. Ins. by G.S.R. 262, dated the 15th February, 1965, published in the Gazette of India, Extraordinary. Pt. II, Sec. 3(i). dated the 15th February, 1965

6. Ins. by G.S.R 1966, dated the 30th October, 1967, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 30th October. 1967

7. Ins. by G.S.R 1380, dated the 8th September, 1967, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated the 8th September, 1967.

8. Ins. by G.S.R. 240, dated the 2nd February, 1968 published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated the 2nd February, 1968.

9. Subs. by G.S.R. 622, dated the 28th March 1968, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 28th March, 1968.

10. Ins. by G.S.R 1269, dated the 3rd July, 1968, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated the 3rd July, 1968.

11. Ins. by G.S.R 1458-A, dated 7th August, 1968.

## **7. Power of entry, search, seizure, etc :-**

(1) Any police officer not below the rank of a head constable or any other person authorized in this behalf by the Central Government

or the State Government having jurisdiction may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,-

(a) stop and search, or authorize any person to stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export or import of wheat or any wheat product;

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

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

(2) The provisions of Secs. 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), <sup>1</sup> relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

1. Now Sec. 100 of the Code of Criminal Procedure, 1973 (2 of 1974)

#### SCHEDULE 1

#### THE SCHEDULE

\\ \\ \\ \\ {See Cl. 2 (g)] Zone I ... The States of Punjab and Haryana and the Union Territories of Delhi, Himachal Pradesh and Chandigarh. Zone II ... The State of Uttar Pradesh. Zone III ... The State of Madhya Pradesh. Zone IV ... The State of Rajasthan. Zone V ... The State of Bihar. Zone VI ... The State of Maharashtra and the area comprising Goa in the Union Territory of Goa, Daman and Diu. Zone VII ... The State of Gujarat and the areas comprising Daman and Diu in the Union Territory of Goa, Daman and Diu, and the Union Territory of Dadra and Nagar Haveli. Zone VIII . ... The States of Andhra Pradesh, Madras, Mysore and Kerala and the Union Territory of Pondicherry.]