
INTER-ZONAL WHEAT AND WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1973

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Prohibition of export of wheat and wheat products
4. Restriction on the movement of wheat or wheat products to or within the zonal border areas
 - 4A. 4A
5. Restriction on the movement of wheat or wheat products to or within the external border area
6. Exemption for border areas
- 6A. Exemption for notified kinds or varieties of seed wheat
7. Powers of entry, examination, search and seizure
8. Effect of order
9. Repeal and saving

SCHEDULE 1 :- THE SCHEDULE

INTER-ZONAL WHEAT AND WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1973

G.S.R. 187 (E), the 31st March, 1973 3-Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of wheat and wheat products in the different States of India ; Now, therefore, 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, 1973.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of April, 1973.

2. Definitions :-

In this Order, unless the context otherwise requires,-

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

¹[(b) "external border area" means the area within a ten-mile belt inside a zone and adjoining the territory of any foreign country;]

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

(e) "Wheat" includes split wheat and any mixture of wheat and-

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

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

²(f) [* * * * *]

(g) "zone" means any of the zones as specified in the Schedule annexed to this Order;

³ [(h) "zonal border area" means the area within a five mile belt inside a zone and adjoining-

(i) another zone; or

(ii) the sea; or

(iii) the territories of Nepal, Bhutan or Sikkim.

]

1. Subs. by G.S.R. 9 (E), dated the 14th January, 1975.

2. Clause 2 (f) omitted by G.S.R. 844 (E), dated 13th October, 1976, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 13th October, 1976.

3. Subs. by G.S.R. 9 (E), dated the 14th January, 1975.

3. Prohibition of export of wheat and wheat products :-

No person shall export or attempt to export or abet the export of wheat. ¹[* * *] except ²[under, and in accordance with, a permit issued by,:

(i) the Central Government or by an officer authorised by it in this behalf, or

(ii) the State Government or an officer authorised in this behalf by that Government subject to the condition that the exports under such permits, shall be regulated in accordance with such directions

as may be issued by the Central Government in this behalf from time to time."]³[* * *] Provided ⁴[* * * *] that nothing contained in this clause shall apply to the export of wheat. ⁵[***].

(i) on Central Government account;

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

(iii) by or on behalf of the Food Corporation of India established under Sec. 3 of the Food Corporation Act, 1964 (37 of 1964);

(iv) by or on behalf of such public agencies as may be approved by the Central Government with such conditions as it may impose;

(v) received by way of gift under the Indo-U.S. Agreement of Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purposes;

(vi) by or under the authority of the Dandakaranya Development Authority;

(vii) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage: Provided ⁶ [further] that it shall be lawful for a person to export under and in accordance with a permit granted by the State Government or by an officer authorized in this behalf by the State Government having jurisdiction in this behalf subject to such

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

(b) wheat produced on land owned or cultivated by the person seeking such export for personal domestic consumption at his place of residence.

1. The words "or any wheat product" omitted by G.S.R. 844 (E), dated the 13th October, 1976.

2. Subs. by G.S.R. 946, dated 22nd June, 1976, published in the Gazette of India. Extraordinary, Pt. II, Sec. 3 (i), dated 26th June, 1976.

3. Omitted by G.S.R. 176 (E), dated the 31st March, 1975.

4. Clause 2 (c) omitted by G.S.R. 181 (E), dated the 19th April, 1974.

5. The words "or any wheat product" omitted by G.S.R. 844 (E), dated the 13th October, 1976.

6. Subs. by G.S.R. 176 (E), dated the 31st March, 1975, for the word "also".

4. Restriction on the movement of wheat or wheat products

to or within the zonal border areas :-

No person shall move, attempt to move or abet the movement of wheat ¹[* * * *].

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

(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 his behalf or by an officer authorized in that behalf by that Government. ²[Provided that nothing in this clause shall apply to the movement of wheat ² [* * * *].

(i) from one part of Nepal to another through the inter-lying Territory of Uttar Pradesh; or

(ii) inside the Zonal border area of Zone XX (the State of Uttar Pradesh) adjoining another zone.]

1. The words, "any wheat product" omitted by G. S. R. 844(E), dated the 13th October, 1976.

2. Subs. by G.S.R 480 (E).. dated the 26th July, 1976, published in the Gazette of India, Extraordinary. Pt]], Sec.3(i) dated the 26th July, 1976

4A. 4A :-

* *. * *]

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

No person shall move, attempt to move or abet the movement of wheat ¹ [* * **]

(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 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 that Government.

1. The words, "any wheat product" omitted by G. S. R. 844(E), dated the 13th October, 1976.

6. Exemption for border areas :-

Nothing contained in Cl. 4 or Cl. 5 shall apply to the movement of

wheat ¹ [* * * *] as the case may be,-

(i) on Central Government account;

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

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

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

(v) by or on behalf of the Food Corporation of India established under Sec. 3 of the Food Corporation Act, 1964 (37 of 1964);

(vi) by or on behalf of such public agencies as may be approved by the Central Government in this behalf, with such conditions as it may impose;

(vii) received by way of gift under the Indo-U.S. Agreement on Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purposes;

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

(ix) by or under the authority of the Dandakaranya Development Authority;

(x) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage.

1. The words, "any wheat product" omitted by G. S. R. 844(E), dated the 13th October, 1976.

6A. Exemption for notified kinds or varieties of seed wheat

:-

(1) Notwithstanding anything contained in Cl. 3, Cl. 5 any person may, subject to the condition specified in sub-clause (2),, export, ¹ [* * *] or move any notified kind or variety of seed wheat certified ² [* * *] in accordance with the provisions of the Seeds Act, 1966 (54 of 1966) and the rules made thereunder.

(2) The conditions to be fulfilled for the purpose of this clause-

(a) the notified kind or variety of seed wheat shall be exported, ³

[* * *] or moved only in sealed packs, containers or bags, and

(b) each such pack, container or bag shall not contain more than fifty kilograms of such seed wheat.

1. The word "import" omitted by G.S.R. 181 (E), dated the 19th April, 1974.

2. The words "or truthfully labelled" omitted by G.S.R. 463 (E), dated the 1st October, 1973.

3. Ins. by G.S.R.353 (E), dated the 19th July, 1973, p. 1891.

7. Powers of entry, examination, search and seizure :-

(1) A police officer not below the rank of Assistant Sub-Inspector or any other officer authorized in this behalf by the Central Government or the State Government ¹[Under a Notification specifying the rank of such Officer and] having jurisdiction may, with a view to securing

(a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export ²[* * *] or movement of wheat or any wheat product.

(b) enter, search or examine any place;

(c) seize- .

(i) any stock of wheat ³[* * * * *] in respect of which he has reason to believe that a contravention of any of the provisions of this Order has been, is being, or is about to be committed; and

(ii) any packages, coverings or receptacles in which such stock of wheat or wheat product is found; and

(iii) the animals, vehicles, vessels, or other conveyances used in carrying such stock of wheat [* * * *] if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or other conveyances so seized ⁴[before the Collector of the District or Presidency town, or the judicial authority appointed under Sec. 6-C of the said Act if required to do so] and for their safe custody pending such production;

[(d) examine or seize any books of accounts or documents which in

his opinion shall be useful for, or relevant, to, any proceedings in respect of any contravention of this Order and allow the person from whose custody such books of accounts or documents are seized to make copies thereof or to take extracts therefrom in the presence of an officer having the custody of such books of accounts or documents.]

2 [(2) The provisions of Secs. 100 and Section 102 of the Code of Criminal Procedure, 1973, relating to search and seizure shall, so far as may be, apply to searches and seizure under this clause.]

1. Ins. by G.S.R. 844(E), dated the 13th October, 1976, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 Hi. dated the 13th October, 1976.

2. Subs by G.S.R. 181(E), dated 19th April, 1974.

3. Omitted by G.S.R. 844(E), dated the 13th October, 1976.

4. Subs. by G.S.R. 844(E)., published in the Gazette of India. Extraordinary, Pt. II, Sec. 3(i), dated 13th October, 1976.

8. Effect of order :-

The provisions of this Order shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

9. Repeal and saving :-

the Gujarat Wheat (Export Control) Order, 1973, issued by the State Government of Gujarat and the Uttar Pradesh Wheat and Wheat Products (Movement Control) Order, 1973, issued by the State Government of Uttar Pradesh are hereby repealed, except as respects things done or omitted to be done before such repeal.

SCHEDULE 1

THE SCHEDULE

] \ \ \ [See Cl.2(g)]	
Zone States and Union Territories constituting the Zones	1
2	
I. The State of Andhra Pradesh and the area comprising Yanam in the Union Territory of Pondicherry. II. \The State of Assam. III. \The State of Bihar. IV. \The State of Gujarat, the Union Territory of Dadra and Nagar \ \Haveli and the areas comprising Daman and Diu in the Union \ \Territory of Goa, Daman and Diu. V. \The State of Haryana. VI. \The State of Himachal Pradesh. VII. \The State of Jammu and Kashmir. VIII. \The State of Kerala, the Union territory of [Lakshadweep,] and \ \the areal comprising Mahe in the Union territory of Pondicherry. IX. \The State of Madhya Pradesh. X. \The State of Maharashtra and the area comprising Goa in the \ \Union Territory of Goa, Daman and Diu. XI. \The State of Manipur. XII. \The State	

of Meghalaya. XIII. \The State of [Karnataka]. XIV. \The State of Nagaland. XV. \The State of Orissa. XVI. \The State of Punjab and the Union Territory of Chandigarh. XVII. \The State of Rajasthan. XVIII. The State of Tamil Nadu and the areas comprising Pondicherry and \ \Karaikal in the Union Territory of Pondicherry. XIX. \The State of Tripura. XX. \The State of Uttar Pradesh. XXI. \The State of West Bengal (excluding the area in which West Bengal Rationing Order, 1964, was in force) and the Union \ \Territory of Andaman and Nicobar Islands. XXII. \The Union Territory of Aninachal Pradesh. XXIII. The Union Territory of Delhi. XXIV. \The Union Territory of Mizoram.