

VEGETABLE OIL PRODUCTS (CONTROL) ORDER, 1947

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VEGETABLE OIL PRODUCTS (CONTROL) ORDER, 1947

Notification No. 2-VP (2)/47, dated 9th August, 1947. 1 -In exercise of the powers conferred by sub-section (1) of S.3 of the Essential Supplies (Temporary Powers) Act, 1946, and in supersession of The Vegetable Oil Products (Control) Order, 1946, the Central Government is pleased to make the following Order-

1. 1 :-

(i) This Order may be called the Vegetable Oil Products (Control) Order, 1947.

¹[(ii) It extends to whole of India ² [* * *]

(iii) It shall come into force at once.

- 1. Subs. by Notifn. No. 2-VP (2)/50, dated 22nd April, 1950.
- 2. Omitted by G.S.R. 885 (E), dated 12th December, 1983.

2. 2 :-

In this Order, unless there is anything repugnant in the subject or context,-

(a) "Controller" means the person appointed as the Vegetable Oil Products Controller India by for the Central Government and includes any person authorised by the Controller to exercise all or any of the powers of the Controller under this Order,

(b) "dealer " means a person carrying on business in the purchase, sale or distribution of any vegetable oil product;

(c) "producer" means a person carrying on the business of manufacturing any vegetable oil product;

(d) "recognised dealer" means a dealer recognised as such by the Controller for the purposes of this Order ;

¹ [(e) "Vegetable Oil Product" means any vegetable oil subjected to a process of hydrogenation in any form, or an admixture thereof with any other substance for edible purposes.]

1. Subs by G.S.R. 309 (E), dated 30th May, 1975.

3. 3 :-

No producer shall, after such date as the Controller may notify in this behalf, dispose of, or agree to dispose of. or in pursuance of any agreement entered into on or before such date make delivery of any vegetable oil product except-

(a) to or through a recognised dealer, or

(b) to a person specially authorised in this behalf by the Controller to acquire vegetable oil products on behalf of the Central Government or of a [State] Government ¹ [* * *] and no person other than a recognised dealer shall, after the date notified by the Controller, carry on business in the purchase, sale or distribution of any vegetable oil product.

1. Omitted by S.O. 952.

4. 4 :-

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[(1) The Controller may, by general or special order, prohibit or restrict the manufacture, stock or sale-

(a) of any variety or quality of vegetable oil product, or

(b) of any vegetable oil product in excess of such quantity as may be specified therein, and no person to whom such order applies shall manufacture, stock or sell any vegetable oil product in contravention thereof.]

(2) Every producer shall furnish Controller with such details regarding__

(a) the quantities and varieties of vegetable oil products manufactured by him; and

(b) the ingredients used in their manufacture and the sources from which the ingredients are obtained as the Controller may require.

1. Subs by G.S.R. 172, dated 25th January, 1966.

4A. 4A :-

The Controller may, by general or special order, direct any producer to manufacture or not to manufacture such qualities or varieties of vegetable oil product as may be specified in the Order, and prescribe the minimum quantities of any quality or variety of vegetable oil product which each such producer shall manufacture during such period as may be specified in the said Order: Provided that in making an order under this clause, the Controller shall have regard to-

(a) the capacity of the producer to manufacture vegetable oil products:

(b) the availability of raw oils;

(c) the need to maintain supplies of vegetable oil products with reference to the requirements of such products in different parts of the country; and

(d) any other relevant factor.]

4B. 4B :-

(1) The Controller may, having regard to the availability of vegetable oil in any region and all other relevant factors, prescribe the maximum or minimum limit of usage of any vegetable oil in the manufacture of vegetable oil product in that region.

Explanation.-For the purposes of this clause, "region" means a region specified in the Table appended in this Order.

(2) No producer shall use any vegetable oil in respect of which

maximum or minimum limits of usage have been prescribed under sub-clause (1) at a level higher than the maximum limit or lower than the minimum limit, so prescribed.]

5. 5 :-

(1) Every producer and every ¹[dealer] shall comply with such directions regarding the sale, stocks and distribution of vegetable oil products ²[and the maintenance of record; relating to the same] as may, from time to time, be given to him by the Controller.

³ [(2) Every producer and every dealer shall furnish the Controller with such details regarding the quantities and varieties of vegetable oil products produced, stocked or sold by him with the price at which they were sold, during any period as the Controller may require.]

1. Subs by S.R.O. 887, dated 11th November, 1950.

2. Subs by S.R.O. 71, dated 10th January, 1953.

3. Subs. by G.S.R. 463(E), dated 31st July, 1981.

6. 6 :-

(1) The Controller may, from time to time, by notification in the Official Gazette fix, with the prior concurrence of the Central Government, the maximum prices at which vegetable oil products may be sold, and the prices so fixed may be different in different localities and for different classes of transactions.

(2) No person shall buy or sell, or agree to buy or sell any vegetable oil product at a price exceeding the maximum fixed under sub-clause (1).

(3) Where in respect of any vegetable oil product a maximum price has been fixed under sub-clause (1), no such vegetable oil product shall be delivered or accepted, in pursuance of an agreement entered into before such fixing of maximum price and providing for the payment of a price higher than that maximum unless the agreement is so revised as to substitute for the price originally agreed a price not exceeding the maximum fixed under sub-clause (1).

7. 7 :-

(1) The Controller, may from time to time,-

(a) allot, with the prior concurrence of the Central Government,

quotas of vegetable ¹[State], area or market;

(b) issue directions to any producer or dealer to supply vegetable oil products to such ¹ [State] areas or markets, in such quantities of such types or varieties, at such times, at such prices and in such manner, as may be specified in the direction; and

(c) require any producer or recognised dealer to keep in reserve stocks of vegetable oil products in such quantities and of such types and varieties as he may direct from time to time.

(2) Every producer and every dealer shall, notwithstanding any pre-existing agreement, give priority to, and comply with, the directions issued to him under sub- clause (1).

1. Subs. by S.R.O. 952, dated 25th November, 1950.

8. 8 :-

(1) No vegetable oil product shall, after such date as the Controller may notify in this behalf, be offered by any person for transport, whether by land or water or accepted by any railway administration or other carrier for transport except under and in accordance with the conditions of a permit issued by the Controller in that behalf; provided that the -above restriction shall not apply to the transport of any vegetable oil product (a) not exceeding 5 seers by a bona fide traveller as part of his personal luggage, or (b) under and in accordance with military credit notes, or (c) under and in accordance with a permit issued by a ¹ [State] Authority before the date notified by the Controller, or (d) in accordance with such general permits as may, from time to time, be notified by the Controller.

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller, if so, required by him, on completion of despatch, or on expiry of the period of its validity whichever is earlier, with the particulars of actual despatches noted on it in such form as may be prescribed by the Controller.

1. Subs. by S.R.O. 952, dated 25th November, 1950.

8A. 8A :-

The Controller may enter upon and inspect and search any premises, vehicles or vessels and seize any stocks of vegetable oil products in respect of which ¹ [he] has reason to believe that a contravention of any of the provisions of this Order has been or is

being or is about to be committed.]

1. Subs by G.S.R. 1168, dated 2nd July, 1963.

9. 9 :-

Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any stock of vegetable oil product in respect of which it is satisfied that this Order has been contravened, together with the receptacles in which the stock is contained, shall be forfeited to ¹ [the Government].

1. Subs by S.R.O. 952, dated 25th November, 1950.

10. 10 :-

Notwithstanding the supersession of the Vegetable Oil Products Control Order, 1956, all notifications, orders and directions issued thereunder shall so far as they are not inconsistent with this Order, be deemed to have been made hereunder and they shall continue in force until rescinded or modified hereunder.

11. 11 :-

Any law in force in any Part B State except the State of Jammu and Kashmir, corresponding to this Order by whatever name called, is hereby repealed.

12. 12 :-

All notifications, directions and orders issued under this Order which immediately before the 25th November, 1950 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir.]

13. 13 :-

The Controller may enter and inspect any place where vegetable oil products are manufactured, stored or exposed for sale, and take samples of such articles for examination.]

13A. 13A :-

The Controller may, with a view to securing compliance with this Order, inspect or cause to be inspected any books, accounts or other documents relating to the production, supply and distribution of, or the trade and commerce in, vegetable oil products, including the purchase of raw materials used in the production thereof.

13B. 13B :-

Every producer and every dealer shall, when so directed by the

Controller, produce such books, accounts and other documents and furnish such information relating thereto as may be required by the Controller.]

14. 14 :-

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[(1) The Controller may, by general or special order,-

(i) prohibit the stock or sale (other than in loose form) of any vegetable oil product, unless such vegetable oil product is packed in containers of such type, size and description and in such net quantity, as may be specified therein;

(ii) specify the ratio of the quantity of vegetable oil product to be packed by any producer in any specified size or sizes of tin containers to his total production of vegetable oil product during any calendar month.]

2[(2)] Every container in which vegetable oil product is packed shall, at the time of sale by the producer or dealer, bear the following particulars in English or Hindi (Devanagri scripts)-

(i) the name, trade-name, if any, or description of the vegetable oil product;

(ii) a declaration in the following words "made from vegetable oils only" in a type size of not less than **3**[12.5 mm.] **4**[with names of individual oil contained therein in type size of not less than 3mm.];

(iii) the name and business particulars of the manufacturer;

(iv) where any vitamin or permissible colouring or flavouring agent has been added in the product, a declaration to the effect that it contains the relevant vitamin, permissible colouring or flavouring agent, as the case may be: Provided that no such declaration shall be made in the case of Vitamin D, unless a minimum **5**[2 I.U. of that vitamin has been added per gramme] of the product;

(v) where any anti-oxidant or synergist or emulsifying agent or any other substance has been added in the product, the name and percentage thereof;

(vi) the net weight of the contents of the container;

(vii) the batch number, month and year of manufacture.

6(viii) Indian Standard Institution Certification Mark specified under Standard Institution (Certification Marks) Act, 1952]

7 [(3)] Every particular or declaration required under [sub-clause (1)] shall be either printed on the label affixed to the container or lithographed thereon and unless otherwise provided in this Order shall be in a type size of not less than [3 mm.]: Provided that in the case of particulars relating to the batch number, month and year of manufacture it shall be sufficient if such particulars are affixed by means of a rubber stamp on the label or embossed or stamped with indelible ink on the top or bottom of the container.

1. Ins by G.S.R.. 1168, dated 2nd July, 1963.
2. Renumbered by G.S.R.. 1168.
3. Subs by G.S.R. 67, dated 23rd December, 1961.
4. Ins. by G.S.R. 935 (E), dated 30th December, 1983 (w.e.f. 30th December, 1983).
5. Subs by G.S.R. 67, dated 23rd December, 1961.
6. Ins. by G.S.R. 551 (E), dated 4th July, 1985.
7. Renumbered by G.S.R. 1168, dated 2nd July, 1963.

15. 15 :-

Every dealer in vegetable oil products shall display a signboard in a prominent place in the premises where the product is sold, so as to be clearly visible to the purchaser indicating in one or more languages commonly spoken in the locality where those premises are situated that vegetable oil product is sold in the premises.