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**WHEAT ROLLER FLOUR MILLS (LICENSING AND CONTROL)  
ORDER, 1957**

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**SCHEDULE 1 :- SCHEDULE**

**WHEAT ROLLER FLOUR MILLS (LICENSING AND CONTROL)  
ORDER, 1957**

S.R.O. 2861, dated 9th September, 1957.<sup>3</sup> 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 Wheat Roller Flour Mills (Licensing and Control) Order, 1957.

(2) It extends to the whole of India <sup>1</sup> [\* \* \*] :

(3) It shall come into force on the 1st October, 1957.

1. Omitted by G.S.R. 1724, dated 17th July, 1969.

## **2. Definitions :-**

In this Order, unless the context otherwise requires,-

(a) "form" means a form set out in the Schedule to this Order;

(b) "Inspector" means any officer appointed as such by the <sup>1</sup>[State Government] to exercise the powers and perform the duties of an Inspector under this Order;

(c) "licensing authority" means an officer appointed by the <sup>2</sup>[Central Government] to exercise the powers and perform the duties of a licensing authority under this Order;

(d) "roller mill" means a flour mill in which disintegration of wheat is done by grooved steel or iron rollers worked by power; and

<sup>3</sup> [(dd) "specified authority" means an officer appointed as such by the State Government to exercise the powers and perform the duties specified under this Order.]

(e) "wheat products" includes maida, atta, suji, rawa, resultant atta and bran.

1. Subs. by G.S.R. 446, dated 21st February, 1969.

2. Subs. by G.S.R. 50 (E), dated 6th February, 1982.

3. Ins. by G.S.R.. 50 (E).

## **3. Licences required for roller flour mills :-**

No owner or person incharge of a roller mill shall manufacture, or cause to be manufactured, any wheat product except under and in accordance with terms and conditions of a licence issued under this Order.

### **3A. Prohibition against installation of other machinery :-**

(1) No owner or person incharge of a roller mill shall, within the premises of such mill,-

(a) instal or cause to be installed stone-grinder (chakkis) or any other machinery for the manufacture of wheat products, or

(b) manufacture or cause to be manufactured any wheat product otherwise than by such mill:

<sup>1</sup> [Provided that nothing in this clause shall apply to the installation or use of emery or stone grinders forming part of the plant and machinery of the roller mill.]

1. Ins. by G.S.R. 181, dated 10th February, 1961.

#### **4. Application for licence and the period of validity :-**

**12**

[(1) Every application for a licence under this Order shall be made to the licensing authority and every application for renewal of a licence under this Order shall be made to the specified authority, in Form I.]

<sup>3</sup>[(2) A licence issued under this Order,-

(a) shall be in Form II and be valid until the 31st December of the year in which it is issued;

(b) may be renewed for one year at a time and application for renewal shall be made 30 days before the expiry of the validity of the licence;

(c) application for renewal shall be entertained by the <sup>4</sup>[specified authority] <sup>5</sup> [fee of Rs. 30.]

1. Ins. by G.S.R. 65, dated 13th January, 1967.

2. Subs. by G.S.R. 50 (E), dated 6th February, 1982.

3. Subs. by G.S.R. 874 (E), dated 18th June, 1979.

4. Subs. by G.S.R. 50 (E), dated 6th February, 1982.

5. Subs. by G.S.R. 832, dated 13th September, 1982

#### **5. Power to issue and renew licence :-**

(1) On receipt of an application under Cl. 4, the licensing authority <sup>1</sup>[or as the case may be, the specified authority] may, after making such investigation as it may deem fit, issue or refuse to issue or renew or refuse to renew a licence having due regard to-

(a) the number of wheat roller flour mills functioning in the locality ;

(b) the availability of wheat for supply with Central Government or, as the case may be, with the Food Corporation of India; and

(c) any other relevant factor.]

<sup>2</sup>[Provided that if a roller flour mill remains closed for a period exceeding twelve months or the licensee does not get the licence renewed within thirty days of the expiry of the validity of the licence, the specified authority shall forward the application for renewal of the licence to the licensing authority with its recommendations or otherwise.]

(2) Where the licensing Authority <sup>2</sup> [or as the case may be, the

specified authority] refuses to issue or renew a licence, it shall record the reasons there for and furnish a copy of the same to the applicant.]

1. Ins. by G.S.R. 50 (E), dated 6th February, 1982.
2. Subs. by G.S.R. 1473, dated 30th November, 1979.

#### **6. Fee for licence :-**

The fee payable for a licence shall be Rs. 50/- and that for renewal of a licence, Rs. 20.]

#### **7. Duplicate licence :-**

If the licensing authority is satisfied that a licence issued under this Order is defaced, lost, destroyed or otherwise rendered useless, the licensing authority may, on application made in that behalf and on payment of a <sup>1</sup> [fee of Rs. 100] issue a duplicate licence.

1. Ins. by G.S.R. 50(E), dated 6th February, 1982.

#### **7A. Deposit of security :-**

(1) Every person who, at the commencement of the Wheat Roller Flour Mills (Licensing and Control) (Fourth Amendment) Order, 1961, holds a licence shall within two months of such commencement, and every person applying for licence after such commencement shall, before the licence is issued to him, deposit with the licensing authority security of the value of Rs. 5,000 for the due performance of the conditions subject to which the licence is granted to him.

<sup>1</sup> [(2) The security referred to in sub-clause (1) may be in the form of a demand draft drawn on the State Bank of India or any other Scheduled Bank, payable at New Delhi and endorsed in favour of the Controller of Accounts, Department of Food, Ministry of Agriculture, Government of India, New Delhi,]]

1. Subs. by G.S.R. 832, dated 13th September, 1982.

#### **8. Maintenance of accounts :-**

Every licensee shall maintain correct and true accounts in respect of his business in such form and manner as the licensing authority may specify.

#### **9. Returns :-**

Every licensee shall submit on or before the <sup>1</sup> [5th of every month] to the licensing authority and to any other authority specified by the licensing authority, a return in Form III.

1. Subs. by G.S.R. 1473, dated 30th November, 1979.

**10. Powers of licensing authority 7 [and specified authority to] issue directions to licensees :-**

(1) The licensing authority <sup>1</sup>[or as the case may be, the specified authority] may issue directions to licensees in regard to-

<sup>2</sup>(a) the source from which and the manner in which wheat shall be obtained for the purpose of manufacture of wheat products;]

<sup>3</sup>[(b) the production or manufacture of different kinds of wheat products and also the size of the packing, the method of packing and the like];

(c) the disposal of wheat products:

<sup>4</sup> [provided that no direction under item (a) shall be issued [by the specified authority] without obtaining the prior concurrence of the Central Government.]

(2) Every licensee shall be bound to carry out the direction of the licensing authority [or as the case may be, the specified authority] under sub-clause (1).]

1. Subs. by G.S.R. 832, dated 13th September, 1982.

2. Subs. by G.S.R. 462, dated 24th March, 1966.

3. Subs. by G.S.R. 971, dated 18th June, 1966.

4. Ins. by G.S.R. 446, dated 21st February, 1969.

**11. Suspension or cancellation of licences :-**

**1**

[(1)] If any licensee contravenes any of the provisions of this Order or any of the conditions of the licence, then without prejudice to any other action that may be taken against him, <sup>2</sup>[the licensing authority may, after receipt of the report from the specified authority], <sup>3</sup>[or on its own motion and] after giving him an opportunity of making his objections, suspend or cancel the licence. A copy of the order suspending or cancelling the licence shall be communicated to the licensee.

<sup>4</sup> [(2) Where any licensee has been convicted of an offence under any law for the time being in force, the licensing authority may, having regard to the nature and gravity of the offence and the circumstances in which it was committed, suspendr cancel the licence.

(3) A copy of the order suspending or cancelling the licence shall be communicated to

1. Renumbered by G.S.R. 746, dated 27th May, 1961.
2. Subs. by G.S.R. 50(E), dated 6th February, 1982.
3. Ins, by G.S.R. 937(E), dated 31st December, 1983.
4. Subs. by G.S.R. 1387, dated 15th September, 1965.

**11A. Forfeiture of security deposit :-**

(1) Without prejudice to the provisions of Cl. 11, if the licensing authority is satisfied that a licensee has contravened any of the conditions of the licence and that a forfeiture of the security deposit is called for, it may by order forfeit the whole or any part of the security deposited and communicate a copy of the order to the licensee.

(2) Where the security deposited by a licensee or any portion thereof is forfeited under sub-clause (1), the licensee shall deposit the amount so forfeited-

- (i) where no appeal against the order of forfeiture has been filed, within two months from the date on which the order was communicated to him; or
- (ii) where an appeal against such order has been filed and dismissed, within 7 days of the dismissal of the appeal.]

**12. Appeal :-**

Any person aggrieved by an order of <sup>1</sup>[the specified authority under Cl. 5 or of] the licensing authority under <sup>2</sup>[Cl. 5 or Cl. 11 or Cl. 11-A] may, within two months from the date of receipt by him of the order, appeal to <sup>3</sup>[the Secretary to the Department of the <sup>4</sup>[Central Government] dealing with food].

1. Ins by G.S.R. 50 (E), dated 6th February, 1982.
2. Subs. by G.S.R. 65, dated 13th January, 1967.
3. Subs. by G.S.R. 446, dated 21st February, 1969.
4. Subs. by G.S.R. 50 (E), dated 6th February, 1982.

**13. Power to inspect, etc :-**

(1) An Inspector may, with a view to securing compliance with this Order,-

- (a) require the licensee to furnish such return, information or statistics or produce such accounts, books or documents, relating to his business, as may be specified;

(b) enter and search or authorise any person to enter and search any roller mill or any premises thereof used or any premises used or believed to be used for the storage of wheat products and seize or authorise the seizure of any stock of wheat or wheat products in respect of which he has reason to believe that a contravention of this Order or any of the conditions of a licence issued thereunder has been, is being or is about to be committed :

(2) Any person occupying the premises referred to in sub-clause (1) shall afford all reasonable facilities for entry and search.

**14. Rodent control measures :-**

The licensee shall take adequate measures to ensure that stocks of wheat or wheat products stored by him are maintained in proper condition and that damage to them due to ground moisture, rain, insects, rodents, birds, fire and such other causes is avoided. Suitable dunnage shall be used to avoid damage from ground moisture and stocks of wheat or wheat products thus stored shall be fumigated with chemicals approved for the purpose by persons who have undergone practical training in that behalf. The licensee shall also ensure that fertilizers, insecticides and poisonous chemicals likely to contaminate wheat and wheat products are not stored along with the stocks of wheat or wheat products in the same compartment of the godown.]

SCHEDULE 1

SCHEDULE