

DELHI (MILK AND MILK PRODUCTS) CONTROL ORDER, 1976

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DELHI (MILK AND MILK PRODUCTS) CONTROL ORDER, 1976

S.O.360 (E), dated the 21st May, 1976 1.-Whereas the Central Government is of opinion that it is necessary so to do for maintaining and increasing supplies of milk and for securing its equitable distributions in the areas comprising the Union territory of Delhi. 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 Delhi (Milk and Milk Products) Control Order, 1976.
- (2) It extends to the areas comprising the Union Territory of Delhi.
- (3) It shall come into force on the 21st May, 1976 and shall cease to operate on the 16th July, 1976 except as respects things done or omitted to be done before such cessor of operation.

2. Definitions :-

In this order unless the context otherwise requires,-

- (a) "controlling officer" means any officer appointed as such by the Delhi Administration in respect of the Union Territory of Delhi to exercise the powers and perform the duties of a controlling officer under this Order;
- (b) "export" means to take or cause to be taken, by any means whatsoever, out of any place within the areas to which this Order extends to any place outside these areas;

(c) "milk" means the normal, clean and fresh secretion obtained by milking of the udder of a cow, buffalo, goat or sheep and includes milk with or without fat, butter, milk, standardised milk, toned milk, double toned milk or milk prepared from milk powder, but does not include the article commonly known as dried milk or milk powder or condensed milk.

3. Prohibition of manufacture, sale, service, supply, export of milk and milk products :-

No person shall-

(a) Use milk of any kind for the manufacture of cream, casein (excepting casein manufactured from sour milk for industrial purposes) skimmed milk, khoa, rubree, or any kind of sweet in the preparation of which milk or any of its products except paneer and ghee is an ingredient; or

(b) export milk of any kind except sour butter milk; or

(c) sell, serve, supply or cause to be sold, served, supplied cream, casein (excepting casein manufactured from sour milk for industrial purposes) skimmed milk, khoa, rubree or any kind of sweet in the preparation of which milk or any of its products (including dried milk or milk powder or condensed milk) except ghee and paneer is an ingredient; or

(d) export or cause to be exported cream, casein (excepting casein manufactured from sour milk for industrial purposes) skimmed milk, khoa. rubree, paneer.

(i) to the use of milk for the manufacture of and to the sale, service, supply or export of ice-cream kulfi or kulfa, in the preparation of which no khoa, rubree or cream is used;

(ii) to the export of milk of any kind by a person engaged in the manufacture of infant milk food;

(a) whose undertaking has been registered or licensed under Industries (Development and Regulation) Act, 1951, and

(b) who has been exporting milk of any kind for the purpose of the manufacture of infant milk food immediately preceding the commencement of this Order, if he has obtained a permit to that effect from the controlling officers.

(iii) to the use, by such undertaking as the Central Government

may specify in this behalf, of milk for the manufacture of cream as intermediary stage in the manufacture of butter, ghee, milk powder and other milk products, if the Central Government, being of opinion that it is necessary so to do in the interest of the Defence Forces, so directs.

1 [(iv) to the use of milk for the manufacture of any milk product to be exported for the purposes of being served at functions held by such delegations going abroad as the Central Government may specify in this behalf, and in relation to the export of any such milk product.

1. Ins, by S.O. 439 (E), dated the 29th June, 1976, published in Gazette of India, Extraordinary, Pt. II, Sec. 3(iii), dated the 29th June, 1976.

4. Power of entry, search, seizure, etc :-

(1) Any Magistrate or any police officer not below the rank of a head constable may with a view to securing compliance with this Order or to satisfying himself that this Order is being complied with-

(a) stop and search any person or any boat, motor, or other vehicle or any receptacle or machinery used or intended to be used for export of milk or for the manufacture of milk products;

(b) enter and search any place or premises where he has reason to believe that milk is stocked or that they are being used for the manufacture, sale, service or supply of milk products;

(c) seize any milk or milk products in any place or premises together with packages, coverings, receptacles or machinery in which milk or milk products are found or with which such milk products are manufactured, or the animals vehicles, vessels, boats or other conveyances used in carrying milk or milk products and thereafter take all measures securing the production of the packages, coverings, receptacles, or necessary for machinery so seized in a court and for their safe custody pending such production.

(2) The provisions of Sec. 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall so far as may be, apply to searches and seizures under this clause.