

DELHI SPECIFIED FOODSTUFFS (DECLARATION AND PROHIBITION OF SALE) ORDER, 1965

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SCHEDULE 1 :- SCHEDULE

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DELHI SPECIFIED FOODSTUFFS (DECLARATION AND PROHIBITION OF SALE) ORDER, 1965

G.S.R. 1826, dated the 7th December, 1965 2. -Whereas the Central Government is of the opinion that it is necessary so to do for prohibiting the sale of rationed articles except by authorised wholesale distributors and authorised retail distributors in the Union territory of Delhi. Now, therefore, in exercise of the powers conferred by sub-rule (2) and sub-rule (3) of rule 125 of the Defence of India Rules, 1962, and of all other powers enabling it in this behalf, the Central Government hereby makes the following Order, namely:

1. Short title, extent and commencement :-

(1) This Order may be called the Delhi Specified Foodstuffs (Declaration and Prohibition of Sale) Order, 1965.

(2) It extends to the areas specified in the Schedule to the Delhi Rationing Order, 1965.

(3) It shall come into force on the 7th day of December, 1965.

2. Definitions :-

In this Order, unless the context otherwise requires,-

(a) "authorised officer" means the Director of Civil Supplies, Delhi and includes the Joint Director of Civil Supplies, Delhi and any other officer authorised by the Central Government to administer the provisions of this Order;

(b) "establishments" means catering establishments, institutions residential establishments and manufacturing establishments as defined in the Delhi Rationing Order, 1965;

(c) "specified foodstuffs" means wheat atta, maida, suji, rawa and rice.

3. Declaration of stocks :-

Every person holding either on his own behalf or on behalf of any other person, stock of any of the specified foodstuffs shall, on or after the 8th day of December, 1965, but not later than the 15th day of December, 1965, furnish in writing to the authorised officer a full and correct statement in the form set out in Sch. I to this Order, in respect of the stock of each of those specified foodstuffs in his possession or custody on the evening of the 7th day of December, 1965, at any place to which this Order extends, if the stocks of specified foodstuffs in his possession or custody exceed 10 quintals in the aggregate.

4. Prohibition of disposal of declared stocks :-

Every person who has declared the stocks of specified foodstuffs under Cl. 4 shall not remove, sell or otherwise dispose of the declared stocks, or cause or allow such stocks to be removed, sold or disposed of, except under and in accordance with a written permission issued in this behalf by the authorised officer.

5. Disposal of stocks :-

(1) The authorised officer may, by order, direct any person or class of persons holding declared stocks of specified foodstuffs to sell the whole or a specified part of such stocks, other than such stocks which in the opinion of the authorised officer have deteriorated or are damaged, to such persons or classes of persons and in such circumstances as are specified in the Order and at such prices as may be notified in this behalf by the Central Government.

(2) The price to be notified for the sale of the specified foodstuffs shall (a) be for fair average quality of such foodstuffs not falling below the standard of specifications set forth in Sch. II to this Order; (b) have due regard to the provisions of Cl. (c) of sub-rule

(3) of rule 125 of the Defence of India Rules, 1962.

6. Determination of the price :-

(1) The authorised officer shall, as far as possible in the presence of the seller or his agent, cause to be taken and sealed three representative samples out of the stock of the specified foodstuffs directed to be sold under sub-clause (1) of Cl. 5, hand-over one sample to the seller or his agent and send one sample to the laboratory established by the Central Government for that purpose; the third sample shall be inspected on the spot visually by an officer not below the rank of a Quality Inspector.

(2) The price chargeable by the seller on the basis of the prices notified and with respect to the standard of quality determined on the basis of visual inspection shall be communicated to the seller on the spot and his acceptance of such a price taken from the seller.

(3) Where any seller does not agree with the result of the inspection referred to in sub-clause (1) the seller shall send due intimation of his disagreement to the authorised officer so as to reach him within a week of the visual inspection and communication of the result of such inspection to the seller and thereupon the authorised officer shall arrange to get the other sample retained in the laboratory analysed after previous intimation to the seller about the date and time fixed for such analysis and the seller, if he so desires, may depute his representative to be present at such analysis.

(4) The result of the analysis referred to in sub-clause (3) shall be binding on both the parties and the price payable for the stock of the specified foodstuff shall be finally determined on the basis of that result and the order relating to price issued by the Central Government

7. Non-application of the Order :-

The provision of this Order shall not apply to establishment.

8. Powers of search, seizure, etc :-

Any police officer not below the rank of Assistant Sub-Inspector of Police or any officer of the Delhi Rationing Organisation not below the rank of Inspector, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with, may with such assistance as he thinks fit-

(a) require the owner, occupier, or any other person in charge of any place, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any book, accounts or other documents showing transactions relating to such contraventions;

(b) enter or break open and inspect or search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed;

(c) take or cause to be taken, extracts from or copies of, any documents, showing transactions relating to such contraventions which are produced before him;

(d) search, seize and remove stocks of specified foodstuffs and the animals, vehicles, vessels' or other conveyances used in carrying the said foodstuffs in contravention of the provisions of this Order and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodstuffs and the animals, vehicles, vessels or other conveyances so seized, in a court and for their safe custody pending such production.

9. Effect of the Order :-

The provisions of this Order are in addition to any other order issued under any law for the time being in force imposing restriction on the acquisition and distribution of stocks of specified foodstuffs or calling for returns in respect of such stocks.

SCHEDULE 1

SCHEDULE

<p>(See Cl. 3) 1. Name of declarant 2. Address of declarant: 3. Quantity of each kind of specified foodstuffs in quintals held on 7th December, 1965 (evening): (a) Wheat: (b) Atta: (c) Maida: (d) Suji: (e) Rawa: (f) Rice: 4. Whether stocks held on own account or on behalf of another. If the stocks are held on behalf of another person, full particulars of the person having right over stocks. 5. Complete postal address of place where stocks mentioned in column 3 are kept. (i) I am acquainted with the provisions of Delhi Specified Foodstuffs (Declaration and Prohibition of Sale) Order, 1965, and hereby declare that the information furnished above regarding the extent of stocks held by me are true and correct. (ii) I hereby undertake not to remove, sell or otherwise dispose of the stocks declared by me. Place Signature of Declarant. Date</p>

SCHEDULE 2

SCHEDULE

[See Cl. 5(2)] I. Wheat product: 1. Attla The standard of specifications shall be the 2. Maida standard prescribed in Appendix B to the 3. Suji Rawa Prevention of Food Adulteration Rules, 1955. II. Rice: The standard of specifications shall be that prescribed in the Delhi Rice (Price Control) Order, 1964. [III. Indigencous Wheat) : The standard of specifications shall be as follows: General characteristics (a) Wheat shall be the dried grains of Triticum vulgare and Trilicum durum. (b) Have uniform size, shape and colour. (c) Be sweet, hard, clean, wholesome and free from moulds, weevils, obnoxious smell, discolouration, admixture of delclerious substances and all other impurities except to the extent indicated in the Table below. (d) Be in sound merchantable condition. (e) Not have moisture exceeding 12 per cent. TABLE (i) Dara quality Maximum limiLs of tolerance

Immature, Grade Desig-	Foreign	Other	Red	Damaged	Slightly shriveled	Weeviled	nation matter	food- wheat grains damaged and grains per grains
per per grains broken per cent.	per cent.	cent.	per grains	cent.	cent.	per cent.	cent.	per cent.
cent, cent	1 2 3 4 5 6 7 8	F.A.Q.	1.5	3.0	15.0	2.0	4.0	4.0
1.0	One grade below.	2.5	6.0	20.0	4.C	6.0	8.0	3.0
Two grades below	5.0	8.0	20.00	5.0	10.0	15.0	6.0	Over

(ii) Superior quality- Maximum limits of tolerance

Immature, Grade Desig-	Foreign	Other	Red	Damaged	Slightly shrivelled	Weeviled	nation matter	food- wheat grains damaged and grains \ \ per grains
per per grains broken per cent.	per cent.	cent.	per grains	cent.	cent.	per cent.	cent.	per cent.
cent. per cent.	1 2 \ 3 4 5 6 7 8	F.A.Q.	0.5	1.0	2.0	0.5	2.0	3.0
1.0	One grade below.	1.0	2.0	4.0	1.0	4.0	5.0	2.0
Two grades below.	1.5	3.0	6.0	2.3	6.0	7.0	4.0	Definitions

Foreign matter.-It includes dust, stones, lumps of earth, chaff, stem or straw and any other impurity including non-edible seeds. Other foodgrains.-Edible foodgrains other than wheat. Other wheats.- For this purpose would be divided into two classes (1) Durum or Macaroni wheat, and (2) vulgare or common wheat. Durum again would be sub-divided into two colour groups (i) amber and (ii) red, and vulgare would be sub-divided into three colour groups (i) white, (ii) amber, and (iii) red. Damaged grains.-Grains that are internally damaged or discoloured, damage or discolouration materially affecting the quality. Slightly damaged grains.- Grains that are superficially damaged or discoloured, damage and discolouration not materially affecting the quality. Immature, shrivelled and broken grains.-Immature and shrivelled grains are those that are not properly developed. Broken gains are pieces of whole grains. Weeviled grains.-Grains that are partially or wholly bored or eaten by weevil or other grain insects. N.B.- (1) Moisture in excess of 12 per cent. to be discounted at full value of moisture equivalent over 12 per cent. (2) Reduction in price per quintal for one grade below and two grades below in respect of Dara and superior quality shall be as under: Reduction in price per quintal below F.A.Q. price Dara Superior Rs. Rs. (i) One grade below ... 0.75 1.00 (ii) Two grades below ... 1.50 2.50