

DELHI SUGAR (DECLARATION OF STOCK AND PROHIBITION OF UNAUTHORISED SALE) ORDER, 1965

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SCHEDULE 1 :- SCHEDULE

DELHI SUGAR (DECLARATION OF STOCK AND PROHIBITION OF UNAUTHORISED SALE) ORDER, 1965

G. S. R. 1861, dated the 15th December, 1965 1. -Whereas the Central Government is of the opinion that it is necessary so to do for prohibiting the sale of sugar 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 Sugar (Declaration of Stock and Prohibition of Unauthorised 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 at once.

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, institution, residential establishments and manufacturing establishments as defined in the Delhi Rationing Order, 1965;

(c) "sugar" means sugar manufactured by vacuum-pan process.

3. Declaration of stocks :-

Every person holding either on his own behalf or on behalf of any other person stock of sugar shall, on or after the 16th day of December, 1965, but not later than the 23rd day of December, 1965, furnish in writing to the authorised officer a full and correct statement, in the form set out in the Schedule to this Order, in respect of stock of such sugar in his possession or custody on the evening of the 15th day of December, 1965, at any place to which this Order extends, if the stock of such sugar in his possession or custody exceeds fifty kilograms.

4. Prohibition of disposal of declared stocks :-

Every person who has declared the stocks of sugar under Cl. 3, shall not move, 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 sugar 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 person 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 sugar shall (a) be for the relevant variety or grade, and (b) have due regard to the provisions of Cl. (c) or 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 sugar 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 the purpose; the third sample shall be inspected on the spot visually by an officer not below the rank of an 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 sugar 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 provisions of this Order shall not apply to establishments.

8. Powers of search, seizure, etc :-

Any police officer not below the rank of an 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 transaction relating to such contraventions and take or cause to be taken, extracts from or copies of such documents:

(b) enter or break open and inspect or search any place or premises, vehicle or vessels 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) search, seize and remove stocks of sugar and the animals, vehicles, vessels or other conveyances used in carrying the said sugar 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 sugar 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 sugar or calling for returns in respect of such stocks.

SCHEDULE 1

SCHEDULE

1. Name of declarant. 2. Address of declarant. 3. Quantity of each grade/variety of sugar in quintals held on 15th December, 1965 (.evening). 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 the Delhi Sugar (Declaration of Stocks and Prohibition of Unauthorised 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. Signature of Declarant.