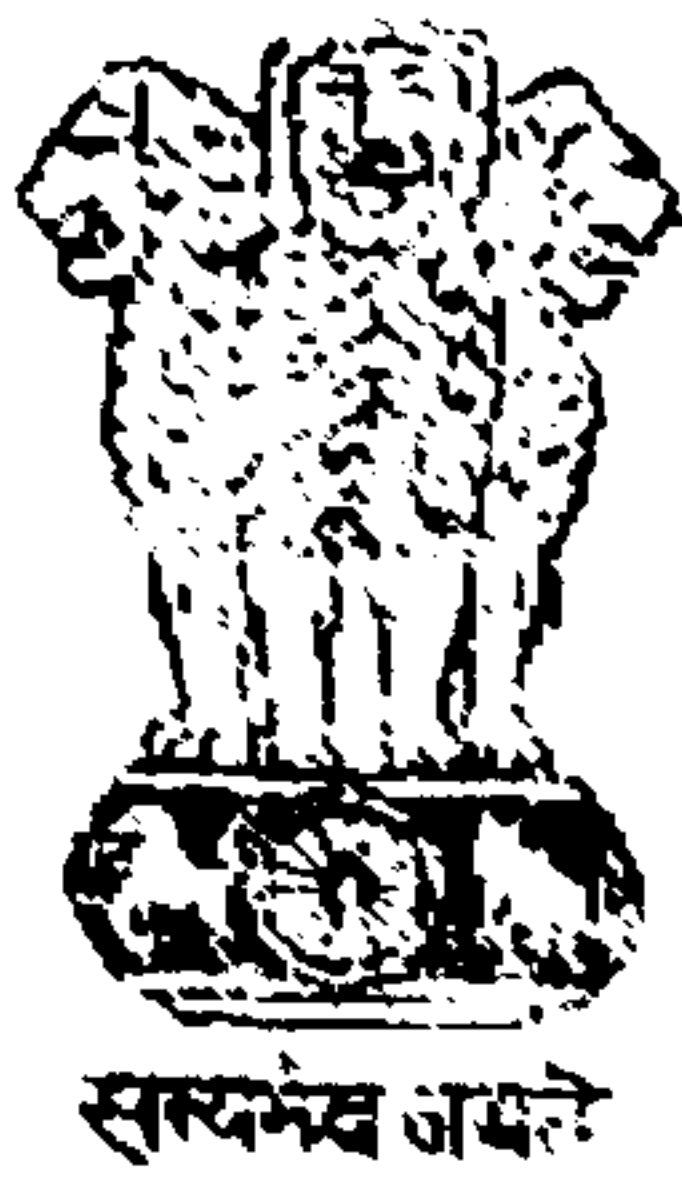


TRIPURA



GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

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 Agartala, Saturday, January 9, 1973 A.D.—Pausa 19, 1894 S.E.
 

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PART I.—Orders & Notifications by the Government of Tripura,  
the High Court, Government Treasury etc.

Government of Tripura

Food &amp; Civil Supplies Department.

→ No. F. 3(104)-FSD/58.

Dated, Agartala, the 19th December, 1972.

**ORDER**

WHEREAS the State Government is of opinion that it is necessary so to do for maintaining supplies of foodgrains and for securing their equitable distribution and availability at fair price within the State of Tripura ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with G. S. R. 316(E) dated the 20th June, 1972 issued by the Ministry of Agriculture, Department of Food, the Governor hereby makes the following Order, namely:—

1. (1) This Order may be called the Tripura Foodgrains (Distribution) Control Order, 1972.

(2) It shall extend to the whole of Tripura.

(3) It shall come into force at once.

2. In this Order—

(a) "appointed retailer" means a retail dealer appointed or deemed to be appointed under the provisions of paragraph 3 in respect of any foodgrains.

Short title, extent and commencement.

Definitions.



(b) "Director" means the Director of Food and Civil Supplies, Government of Tripura, and includes any other officer authorised by the State Government to perform all or any of the functions of the Director.

(c) "family card" means a card or document issued to the head of a family under or in pursuance of the provisions of this Order.

(d) "foodgrains" means paddy, rice and wheat and includes atta, flour and suji.

(e) "scheme" means the scheme for distribution of foodgrains to consumers through fair price shops set up by the Government in this behalf.

(f) "family" for purpose of this Order shall include the following persons besides the applicant for the family card, namely :—

- i) Wife, in case of male applicant
- ii) Husband, in case of female applicant
- iii) Children including step children and adopted children above the age of 1 year.
- iv) Other relatives dependent on the applicant and entertained in the family in common messing but shall exclude guests including paying guests, servants and maid servants.

*Explanation* :— For paying guests, servants and maid servants, as the case may be, separate cards under the care and address of the head of the family to which such class of persons belong may be issued on application by persons themselves, after due enquiry.

Appointment  
of retail dealer.

3. (1) With a view to distributing foodgrains under the scheme, the Director may by order appoint in respect of any area any person as a retail dealer in respect of any foodgrains for the purpose of this Order and thereupon such retail dealer shall be entitled to supply in accordance with the provisions of this Order such foodgrains within such area:

Provided that retail dealers appointed as such under orders of appointment issued before the commencement of this Order shall be deemed to have been appointed under the provisions of this paragraph.



(2) The Director may, after giving an appointed retailer an opportunity of stating his case and for reasons to be recorded in writing, amend, suspend or revoke his appointment whenever, in the opinion of the Director, it is in the interest of the general public necessary or expedient so to do, and in every such case the appointed retailer shall be bound to surrender, on demand, to the Director the order of appointment for endorsement or cancellation, as the case may be.

Restriction on supply.

4. No appointed retailer shall supply or offer or attempt to supply or permit to be supplied by any agent or servant of such appointed retailer any foodgrains in respect of which he holds his appointment except under and in accordance with the provisions of this Order.

Issue of cards.

5. (1) On receipt of an application from the head of a family, if the Director is satisfied that the said head of the family belongs to the class of consumers who would require regular supply of foodgrains under the scheme, he may, after making such enquiry as he thinks fit, issue a family card to such head of a family.

(2) The Director may after giving the holder of any such family card an opportunity of stating his case, and for reasons to be recorded in writing add to, amend, vary or rescind the family card, whenever, in the opinion of the Director, it is in the interest of the general public necessary or expedient so to do, and in every such case, the holder of the family card shall be bound to surrender the family card on demand to the Director for endorsement or cancellation as the case may be.

Use of family card.

6. (1) A family card shall not be available for lawful use except when it is used by or on behalf of the person in respect of whom it is issued.

(2) No person shall transfer to any other person any family card issued to him under the provisions of this Order.

Entitlement of card.

7. Every family card under this Order shall be the property of the Government but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order shall be entitled to its custody and shall be responsible for its safe custody.



Issue of new card.

8. (1) If any family card be defaced, lost, or destroyed an officer authorised by the Director in respect of any area in this behalf, may after making such enquiry as he may think fit, issue a new family card in place thereof on realisation of a fee of fifty paise per card.

(2) When a new family card is issued under subparagraph (i) in place of a lost family card it shall be the duty of the person to whom the new family card has been issued, if he subsequently finds the lost family card, to return the lost family card forthwith to the officer by whom it was issued.

Possession of unauthorised card.

9. When a person is in possession of a family card and such possession is not authorised by or under this Order, he shall forthwith deliver such family card to the nearest Sub-Divisional Officer.

Registration of Card by the holder.

10. The holder of a family card shall get the same registered with an appointed retailer in the manner prescribed by the Director for the purpose of obtaining supplies of foodgrains for his family.

Supply of food grains.

11. (1) An appointed retailer shall obtain his supply of foodgrains on indents placed by him with the Director.

(2) The quantity of foodgrains to be allotted to each appointed retailer against each indent shall be determined by the Director from time to time.

Deposit of price of food grains.

12. An appointed retailer shall deposit in such manner as may be prescribed in this behalf by the Director, the price of any foodgrains allotted to him.

Taking delivery of foodgrains.

12. Appointed retailer shall take delivery of foodgrains from Government godowns particularly mentioned in delivery permits issued in this behalf.

Stock register.

14. An appointed retailer, immediately on receipt of the foodgrains lifted by him from the Government godowns shall enter the same in appropriate stock register to be maintained by him in this behalf.

Sale of foodgrains to consumers.

15. Every appointed retailer shall sell foodgrains to consumers in such quantities and at such rate or rates as may be specified in the orders made from time to time by the State Government.

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Appointed retailer to supply foodgrains against cards.

16. On demand and offer of price by or on behalf of holders of family cards an appointed retailer shall not refuse to supply foodgrains of appropriate quantities against such cards until the stock with him is completely exhausted. ✓

Production of card.

17. Where a family card has been issued to the head of a family under sub-paragraph (1) of paragraph 5, no member of such family shall be entitled to supply of foodgrains under the scheme otherwise than on production of the family card to the appointed retailer with whom such card has been registered.

Appointed retailer to issue cash memo.

18. Every appointed retailer shall issue cash memos for sale noting in each such memo the name and address of the customer together with such particulars of family card as are specified by or under the orders of the Director.

Daily sale register.

19. Every appointed retailer shall also maintain a Daily Sales Register which shall be made upto date at the end of each day.

Hours of sale.

20. An appointed retailer shall sell foodgrains during shop hours only.

Direction by Director.

21. Every appointed retailer shall comply with such other directions as may be issued from time to time by the Director.

Surrender of documents by appointed retailer.

22. Every appointed retailer, when so required by an Officer authorised by the Director in the behalf, shall—

(i) surrender to such officer all authorities and documents delivered to such appointed retailer under or for the purpose of this Order, and

(ii) furnish such particulars, accounts, and information relating to his dealings in and stocks of any foodgrains as may be required.

Inspection.

23. (i) Any person authorised by the Director in this behalf may—

(a) enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of any foodgrains and inspect any such premises and any foodgrains therein or thereon ;

(b) require any person to make any statement or furnish any information or to produce any document or article in his possession or under his control relating to the purchase, sale, distribution or storage of any foodgrains and every person so required shall comply with such requisition:





(c) require any person to render any account or to produce books, accounts or other documents relating to or believed to be relating to, the purchase, sale, distribution or storage of any foodgrains and every person so required shall comply with such requisition:

(d) take or cause to be taken extracts from or copies of any documents relating to the purchase, sale, distribution, or storage of any foodgrains which is produced under clause (b) or clause (c) or otherwise found in any such premises:

(e) test or cause to be tested the correctness of any weights or measures used or believed to be used in any transaction relating to the sale or distribution of any foodgrains.

(f) take or cause to be taken the weight of all or any of the foodgrains found in such premises :

Provided that in entering upon and inspecting any premises the person so authorised shall have due regard to the social and religious customs of the persons occupying the Premises.

(2) The powers exerciseable under this paragraph shall not be exercised except for the purposes of securing compliance with the provisions of this order.

The Provisions of the Order to override other provisions.

24. The provisions herein-before contained in this order, relating to the appointment of appointed retailers and the distribution of foodgrains through them and other obligations imposed on them shall have effected notwithstanding anything inconsistent therewith, contained in any prior agreement or instrument appointing the retailers for the same purpose.

Rescission and serving.

25. The Tripura foodgrains (Distribution) Control Order, 1958 is hereby rescinded :

Provided that the rescission shall not affect the previous operation of the said Order or any order made thereunder by the State Government or any officer or authority subordinate to it.

By order of the Governor,

P. Nath

Under Secretary to the Government of Tripura.

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*Agartala, Tuesday, January 2, 1973 A. D.—Pausa 12, 1894 S. E.*

PART I.—Orders & Notifications by the Government of Tripura,  
 the High Court, Government Treasury Etc.

Government of Tripura  
 Food & Civil Supplies Department

→ No. F. 3(14)-FSD/58

Dated, Agartala, the 21st December, 1972.

**NOTIFICATION**

In exercise of the powers conferred by sub-clause (b) of clause 2 of the Tripura Foodgrains (Distribution) Control Order, 1972, the Governor is pleased to authorise the following officers to perform the functions of the Director under the said Order within the jurisdiction shown against each of them, namely :—

- |                               |   |
|-------------------------------|---|
| 1. The District Magistrates   | Within the jurisdiction of their respective districts except the Agartala Municipality in West Tripura.                                 |
| 2. All Sub-divisional Officer | Within the jurisdiction of their respective revenue sub-divisions except the area under Agartala Municipality in West Tripura District. |

By order of the Governor,  
**P. NATH**  
 Under Secretary to the Government  
 of Tripura.