To
The Sub-Divisional Magistrate,
Dharmanagar, Kailasahar, Rancheipur,
Udaipur, Santirbazar, Sabroom, Belonia, Amarpur,
Ambassa, Gandacharra, Kamaipur, Longtharaivally,
Bishalghar, Teliamura, Khowai, Sonamura, Sadar.

The Officer in Charge,
Agartala Rationing Authority.

Subject:- The Tripura Food Stuff Dealers, Licensing Order, 2010.- Gazette Notification thereof.

Sir,

In inviting a reference to the Order of even number of 28/1/2010 of the Deputy Secretary, Food Civil Supplies and Consumer Affairs Department, Government of Tripura on the above subject, I would enclose herewith a copy of Order vide No. 14 as published in the Gazette of Tripura on 4/2/2010 for your information and necessary action.

Yours faithfully,

Enclo:- As stated.

Director
Food civil supplies &
Consumer affairs,
Tripura

Copy with copy of the Order is forwarded for information and necessary action to:-

1. The District Magistrate & Collector, South(Udaipur), North(Kailasahar)
   Dhala(ambassa) & West(Agartala).
2. The Superintendent of Police, South (Udaipur), North (Kailasahar),
   Dhala(Ambassa) & West(Agartala).
3. The Superintendent of Police (B.B.), A.D. Nagar, Agartala.
4. The General Secretary, Tripura Wholesale Grocery Merchant Association,
   R.S. Road, Agartala. / The Secretary, Agartala Retail Merchant Association,
   Bhatla, Agartala.
5. The Litigation Section of this Directorate.
TRIPURA GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Thursday, February 4, 2010 A.D., Magha 15, 1931 S.E.

PART - I Orders and Notifications by the Government of Tripura, The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

No. F 6 - 16 (1) - CS/DF/2009 - 10

Dated, Agartala, the 28th January, 2010.

ORDER

In exercise of the powers conferred under Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order(s) of Government of India, Ministry of Consumer Affairs, Food & Public Distribution (Department of Consumer Affairs) vide Nos S.O. 649 (E) dated 09.03.2009, G.S.R. 164 (E) dated 12/3/2009, S.O. 505 (E) dated 02/04/2009, S.O. 906 (E) dated 02/04/2009, the State Government G.S.R 640 (E) dated 07/09/2009 and S.O 2461 (E) dated 25/09/2009 do hereby make the following Order, namely:

1. SHORT TITLE, EXTENT AND COMMENCEMENT :-
   (i) This Order may be called the "Tripura Foodstuff Dealers' Licensing Order, 2010".
   (ii) This Order shall come into force from the date of its publication in Official Gazette.

2. DEFINITIONS:

In this Order, unless the context otherwise requires, -

(a) "State Government" means the Government of Tripura;
(b) "dealer" means a person, registered firm / society engaged in the business of purchase, sale or storage for sale either in wholesale or in retail of any one or more of the foodstuffs in any quantity whatsoever;
(c) "Foodstuffs" means any one or more of the foodstuffs specified in 'Schedule-I' annexed to this Order including products of such foodstuffs;
(d) "Retail dealer" means a dealer who sells any foodstuffs in retail to persons other than wholesale dealer;
   For the purpose of this sub-clause, the Retail Dealer shall be classified as "Retail Dealer - A" and "Retail Dealer - B" according to the quantity of item stored at any point of time in his/her business premises as prescribed in the Order;
(e) "Wholesale Dealer" means who imports foodstuffs from outside the State and or sells the foodstuffs to retail dealer for the purpose of resale;
(f) "Form" means a form set-forth in 'Schedule II' annexed to this Order; and
(g) "Licensing Authority" means the Director of Food, Civil Supplies & Consumer Affairs, Government of Tripura (for the whole State), Sub-Divisional Magistrate of the respective Sub-Division within their administrative jurisdiction and the Officer-in-Charge, Agartala Rationing Authority within the Agartala Municipal Council area to perform all or any of the functions of the licensing authority under this Order.
3. LICENSING OF DEALERS AND RESTRICTION ON STORAGE:

(1) No person shall carry on business as dealer except under and in accordance with the terms and conditions of a license issued in this behalf by the licensing authority.

(2) For the purpose of this clause, any person who stores any foodstuff in excess of the quantities mentioned below, at any one time shall, unless the contrary is proved, be deemed to store the same for the purpose of sale:

<table>
<thead>
<tr>
<th>Foodstuff</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar</td>
<td>50 Kilograms</td>
</tr>
<tr>
<td>Rice</td>
<td>300 Kilograms</td>
</tr>
<tr>
<td>Pulses</td>
<td>50 Kilograms</td>
</tr>
<tr>
<td>Salt</td>
<td>50 Kilograms</td>
</tr>
<tr>
<td>Edible Oil</td>
<td>30 Kilograms</td>
</tr>
<tr>
<td>Edible Oil seeds</td>
<td>100 Kilograms</td>
</tr>
</tbody>
</table>

(2A) For the purpose of this clause, any 'Retail dealer-A' as defined under sub clause (d) of Clause-2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time:

<table>
<thead>
<tr>
<th>Foodstuff</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar</td>
<td>200 Kilograms</td>
</tr>
<tr>
<td>Rice</td>
<td>1000 Kilograms</td>
</tr>
<tr>
<td>Pulses</td>
<td>200 Kilograms</td>
</tr>
<tr>
<td>Salt</td>
<td>200 Kilograms</td>
</tr>
<tr>
<td>Edible Oil</td>
<td>100 Kilograms</td>
</tr>
<tr>
<td>Edible Oil seeds</td>
<td>300 Kilograms</td>
</tr>
</tbody>
</table>

(2B) For the purpose of this clause, any 'Retail dealer-B' as defined under sub clause (d) of Clause-2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time:

<table>
<thead>
<tr>
<th>Foodstuff</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar</td>
<td>1000 quintals</td>
</tr>
<tr>
<td>Rice</td>
<td>2000 *</td>
</tr>
<tr>
<td>Pulses</td>
<td>1200 *</td>
</tr>
</tbody>
</table>

(2C) For the purpose of this clause, any 'Wholesale dealer' as defined under sub-clause (e) of Clause-2, is prohibited to store in excess of the quantities of the following foodstuff mentioned below, at any point of time:

<table>
<thead>
<tr>
<th>Foodstuff</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar</td>
<td>1000 quintals</td>
</tr>
<tr>
<td>Rice</td>
<td>2000 *</td>
</tr>
<tr>
<td>Pulses</td>
<td>1200 *</td>
</tr>
</tbody>
</table>
Provided that nothing in this order shall apply to the holding or keeping of stock of Foodstuffs –

(i) on Government account, or

(ii) by the recognized dealers nominated by the State Government or an officer authorized by it
to hold stock for distribution through Fair Price Shops; or

(iii) by the Food Corporation of India.

(3) A separate license shall be obtained by a dealer for each place of business. No storage of
any foodstuff is allowed other than placed places as specifically mentioned in the license.

4. ISSUE OF LICENCE :-

i) Every application for a license or renewal thereof shall be made to the licensing authority in
Form 'A' of Schedule-II.

ii) Every license issued or renewed under this Order shall be in 'Form 'B' of Schedule-II

5. PERIOD OF LICENSE AND FEES CHARGEABLE:

(1) Every license granted under this Order shall be valid for a period ending the 31st December of
the year in which it is issued and may be renewed for a period of one year at a time.

(2) The fees for 'Retail dealer-A' specified below shall be chargeable in respect of each license,
namely:

i. For issue of license - Rs. 50/-

ii. For renewal of license - Rs. 25/-

iii. For issue of duplicate license - Rs. 50/-

iv. For filing an application for renewal after the licensed year, late fee for every month
or part thereof is Rs. 5/-

(2A) The fees for 'Retail dealer-B' specified below shall be chargeable in respect of each license,
namely:

i. For issue of license - Rs. 100/-

ii. For renewal of license - Rs. 50/-

iii. For issue of duplicate license - Rs. 100/-

iv. For filing an application for renewal after the licensed year, late fee for every month
or part thereof is Rs. 10/-

(2B) The fees for 'Wholesale dealer' specified below shall be chargeable in respect of each license,
namely:

i. For issue of license - Rs. 300/-

ii. For renewal of license - Rs. 150/-
iii. For issue of duplicate license - Rs. 300/-
iv. For filing an application for renewal after the licensed year, late fee for every month or part thereof is Rs. 20/-

(3) For the purpose of this clause, fees chargeable shall be deposited under the Head "Revenue Deposit" through government treasury.

6. POWER TO REFUSE LICENSE:

The Licensing Authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a license.

7. DISPLAY OF STOCK AND SALE PRICE BY THE DEALER:

All Dealers shall display prominently in some conspicuous place of their shops or show rooms:
(a) a list indicating the opening stock of each of the foodstuff available with them each day, and
(b) a list containing the wholesale/retail selling price, as the case may be, each of the foodstuff sold by them.

8. DEALER TO ISSUE CASH MEMO FOR EACH SALE.

Each dealer shall issue a true and correct cash memo to the Retail dealer/purchaser against the sale of each item of foodstuffs indicating the price realized by the dealer.

9. CONTRAVENTION OF CONDITIONS OF LICENCE:

No holder of a license issued under this Order, shall contravene any of the terms or conditions of the license and if any such holder contravenes any of the said terms or conditions, then, without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by order in writing of the licensing authority.

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

10. APPEAL:

(1) Any person aggrieved by any order of the licensing authority refusing to grant or renew a license or cancelling or suspending a license under the provisions of this order may appeal to the Secretary in charge of Food, Civil Supplies & Consumer Affairs Department, Government of Tripura within 30 days of the date of the receipt of such Order by him/her.

2) No order shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his/her case.

3) Pending the disposal of an appeal, the State Government may direct that the order refusing to renew a license or the order cancelling or suspending a license shall not take effect until the appeal is disposed of.
1. **POWERS OF ENTRY, SEARCH, SEIZURE ETC:-**

1. The licensing authority or any other officer authorized by the State Government in this behalf, may with such assistance, if any, as he thinks fit;

(a) require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any license issued there under 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, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of conditions of any license issued there under, 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 foodstuffs and the animals, vehicles, vessels or other conveyances used in carrying the said foodstuffs in contravention of the provisions of the Order, or of the conditions of the licenses used there under and thereafter take or authorize the taking of all measures necessary for securing the production of stocks of foodstuffs the animals, vehicles, vessels or other conveyances, so seized, in a court and for their safe custody pending such productions.

2. The provisions of Sections 102 and 103 of the code of Criminal Procedure, 1973, relating to search and seizure shall, so far as may be, apply to searches and seizure under this clause.

3. **DELEGATION OF POWERS:-**

The following officers have been authorized to exercise powers and perform the duties specified in Clause (1) of the Order within the limits of their respective jurisdiction:

(i) All District Magistrates & Collectors

(ii) All Additional District Magistrates & Collectors

(iii) All Sub-Divisional Magistrates / Additional Sub-Divisional Magistrates.

(iv) All Deputy Collector & Magistrates

(v) Assistant Food & Civil Supplies Officer, Civil Supplies & Consumer Affairs Department not below the rank of Sub-inspector.

(vi) All Police Officers not below the rank of Sub-inspector.

(ii) Notwithstanding such rescind, anything done or any action taken under the Tripura Foodstuff Dealers' Licensing Order 1958 and Tripura Hydrogenated Vegetable Oils Dealers' Licensing Order, 1967, shall not affect. In so far as it is not inconsistent with the provisions of this Order, be deemed to have been done or taken under the corresponding provisions of this Order.

By order of the Governor,

S. Debbarma
Deputy Secretary,
Government of Tripura.
SCHEDULE – I

1. Sugar.
2. Rice.
3. Pulses.
4. Salt.
5. Edible Oil [excluding H. V. Oil and Coconut Oil]
6. Edible Oil seeds.

SCHEDULE – II

FORM A

(See Clause 4 (i))

The Tripura Foodstuffs Dealers' Licensing Order, 2010.

Application for license:

1. Applicant's name :
2. Applicant's Father's name :
3. Applicant's profession :
4. Applicant's residence :
5. Situation of applicant's places of business with particulars as to number of house, mohalla, town or village, police station and district :
6. How long the applicant has been trading in foodstuffs :
7. Did the applicant hold a foodstuffs license on any previous occasion? (If so, give particulars including its suspension or cancellation, if any) :
8. Quantities of each foodstuff handled annually during the previous year(s) :
9. Quantities of foodstuffs likely to be handled :
10. Professional Tax / income tax, if any paid in the two years preceding the year of application (to be indicated separately):
   a) ................................................................. 
   b) ................................................................
11. Trade Licence obtained from AMC / Notified Areas; (if yes, attached valid documents).
12. Quantity of foodstuffs in the possession of the applicant on the date of application and the places at which the different quantities are kept (separate figures are to be given for each foodstuffs).

I declare that the quantities of foodstuffs specified above are in my possession this day and are held at the places noted against them.

I have carefully read the conditions of license given in Form 'B' appended to the Tripura Foodstuffs Dealers' Licensing Order, 2010 and I agree to abide by them. :

(a) I have not previously applied for such licence in this district for foodstuffs.
(b) I applied for such license in this district for ............... on ............... and was/was not granted a license on ...........

I hereby apply for renewal of license No. ................................................................. dated .............. for the year .................................................................

Place

Date

Signature of the applicant
FORM – B


License for purchase, sale/storage for sale of foodstuffs

Category of license

License No.

Subject to the provisions of the Tripura Foodstuffs Dealers’ Licensing Order, 2010, and to the terms and conditions of this license, is/are hereby authorized to purchase, sell or store for sale, the under mentioned foodstuffs.

License No.:

The licensee shall carry on the aforesaid business at the following place:

The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, maintain a register or daily accounts for each of the foodstuffs mentioned in paragraph 1, showing correctly:

(a) the opening stock on each day;
(b) the quantities received on each day showing the place from where and the source from which received;
(c) the quantities delivered or otherwise removed on each day showing the places of destination; and
(d) the closing stock on each day.

(i) The licensee shall complete his accounts for each day on the day to which they relate, showing down-wise stock, unless prevented by reasonable cause the burden of proving which, shall be upon him.

(ii) A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account if such stocks are stored in his business premises.

4. The licensee shall, except when specially exempted by the State Government or by an Officer authorized by the State Government in this behalf, submit to the concerned licensing authority a true and correct stock return, in form ‘C’ of the stocks, receipts and deliveries of each of the foodstuffs for every month (1st to last day of the month) in as to reach him within 7 (seven) days of the succeeding month after the ending of the preceding month.

5. The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, issue to every customer a correct receipt or invoice, as the case may be, giving own name, address and license number, the name, address and license number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal/kg and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorized by him in this behalf.

Tripura Gazette, Extraordinary Issue, February 4, 2010 A.D.
6. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorized by him or the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of foodstuffs and for the taking of samples of foodstuffs for examination.

7. The licensee shall comply with any direction that may be given to him by the Licensing Authority in regard to purchase, sale and storage for sale of foodstuffs and in regard to the language in which the register, returns, receipts or invoices mentioned in paragraph 3, 4 & 5 shall be written and the authentication and maintenance of the register mentioned in paragraph 3.

8. This license shall be attached to any application for renewal.

9. This license shall be valid up to

Place ........................................
Date........................................

Signature of the Officer
Issuing the license.
**FORM --- 'C'**

For use by a dealer  
(See condition 4 of Form B)  
Returns of stocks, receipts and sales of Foodstuffs for the month ending.........200

<table>
<thead>
<tr>
<th>Name of Licensee</th>
<th>License No</th>
<th>Category of license</th>
<th>Address</th>
<th>Particulars of godowns where stock held</th>
<th>Variety of the Foodstuffs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Particulars. Quantity in quintals, Remarks if any.

1. Stocks at the beginning of the month,
   (a) Actually with the stockiest.  
   (b) Pledged with any person or institutions such as a bank or co-operative society.

2. Quantity purchased during the month and source of supply.

3. Quantity sold,
   (a) Quantity sold and delivered during the month.
   (b) Quantity sold but not yet delivered.

4. Stock at the end of the month,
   (a) Actually with the stockiest.
   (b) unsold.
   (a) sold but awaiting delivery.
   (b) pledged with any other person or institution such as bank or a co-operative society.

   Total

7. LICENSED AUTHORITY.  
   District

Printed at the Tripura Government Press, Agartala.