

---

## **ANDHRA PRADESH SCHEDULED COMMODITIES DEALERS(LICENSING AND DISTRIBUTION) ORDER, 1982**

### **CONTENTS**

1. Short title, extent and commencement
2. Definitions
3. Licensing of dealers
4. Issue and renewal of licence
5. Period of Licence and fee chargeable
6. Deposit of Security
7. Power to refuse to grant or renew licence
8. Cancellation or suspension of a licence
9. Forfeiture of Security Deposit
10. Disposal of stock when licence is cancelled or suspended
11. Restriction on possession of scheduled commodities
12. Power to issue directions
13. Directions to convert Edible Oil Seeds into Edible Oils
14. Licensee not to purchase scheduled commodities at prices lower than the notified procurement price from farmers
15. Licensee not to sell scheduled commodities at prices higher than maximum prices fixed
16. Appeal
17. Revision
18. Powers of entry, search, seizure etc
19. Savings
20. Power to Exempt

### **SCHEDULE 1 :- Schedule**

### **SCHEDULE 2 :- Schedule**

## **ANDHRA PRADESH SCHEDULED COMMODITIES DEALERS(LICENSING AND DISTRIBUTION) ORDER, 1982**

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the order of Government of India, Ministry of Agriculture (Department of Food) New Delhi, G.S.R. 452(E) dated 25th October, 1972 and G.S.R. 800, dated the 9th June, 1978 and all other powers hereunto enabling and with the prior concurrence of the Government of India, the Governor of Andhra Pradesh hereby rescinds the following Orders with immediate effect, namely :-

## **1. Short title, extent and commencement :-**

(1) This Order may be called the Andhra Pradesh Scheduled Commodities Dealers (Licensing and Distribution) Order, 1982.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on the date of publication of this Order in the Andhra Pradesh Gazette.

## **2. Definitions :-**

In this Order, unless the context otherwise requires.

A. Collector means the Collector of the district and includes the Joint Collector in the district and the Chief Rationing Officer in the twin cities of Hyderabad and Secunderabad.

B. Commission agent means the commission agent having, in the customary course of business as such agent, authority either to sell goods or to consign goods for the purposes of sale or to buy goods.

C. Commissioner means the Commissioner of Civil Supplies, Government of Andhra Pradesh and includes the Director of Civil Supplies, Government of Andhra Pradesh.

D. Dealer means :-

(i) In respect of Sugar :- A person engaged in the business of purchase, sale or storage for sale of sugar in quantities of five quintals at any one time, but does not include the undertaking which is engaged in the manufacture or production of sugar and which is registered or licensed under the Industries (Development and Regulation) Act, 1951 or a Khandasari unit licensed under the Khandasari Sugar Manufacturers Licensing Order, 1966.

Provided that bulk consumers of Sugar as defined in Sub-Clause (O) of this Clause who store more than five quintals of Sugar at any one time shall also be considered as dealers for the purpose of licensing under this Order.

(ii) In respect of foodgrains other than pulses :- A person engaged in the business of purchase, sale or storage for sale of any one of the foodgrains in quantity of twenty quintals or more at any one time, or in quantity of fifty quintals or more of all foodgrains taken together.

(iii) In respect of pulses :- a person engaged in the business of

purchase, sale and storage for sale of any pulses exceeding ten quintals of all pulses taken together at any one time.

(iv) In respect of edible oilseeds and edible oils :- A person, who engages himself in the business of purchase, sale or storage for sale of edible oilseeds or edible oils in quantity of more than five quintals of any one or all edible oils including hydrogenated vegetable oils taken together or thirty quintals of any one or all edible oilseeds including groundnut in sheell taken together, and includes a manufacturer of edible oils, but does not include a person who store the oil seeds produced by his personal cultivation.

(v) {x x x} (Omitted by G.O.Ms.No.1 dt. 5-1-2000)

E. Licensing authority means :-

(i) in relation to wholesalers, the District Supply Officer of the district concerned or such other Officer not below the rank of a Revenue Divisional Officer as the State Government may so appoint having jurisdiction over the place of business; and

(ii) in relation toretails in twin cities of Hyderabad and Secunderabad, Vijayawada and Visakhapatnam towns and also Rangareddy district in the area covered by urban agglomeration, the Assistant Supply Officer concerned and elsewhere the Mandal Revenue Officer or such other Officer not below the rank of Mandal Revenue Officer as the State Government may so appoint having jurisdiction over the place of business;

Provided that where a dealer applies for a Composite Licence for conducting both wholesale and retail business, the Licensing Authority empowered to grant wholesale licence shall also exercise the powers in respect of retail licence.

F. Producer in relation to edible oils means a person carrying on the business of expelling extracting or manufacturing or refining any edible oils :-

(i) by buying edible oilseeds for being processed by himself and selling the finished products through a wholesaler or through a commission agent, or

(ii) by doing any of the processes of extracting or manufacturing or refining on behalf of another.

G. Producer in relation to pulses means a person carrying on the

business of milling any of the said pulses :-

(i) by buying pulses for being processed by himself and selling the finished products to a wholesaler or through a Commission agent; or

(ii) by doing any of the processes of milling or manufacturing on behalf of another.

H.

(i) Scheduled Commodities means any one or more of the commodities mentioned in Schedule-I to this Order including products thereof, other than husk and bran.

(ii)

(a) Edible Oil means any oil used for cooking for human consumption and includes hydrogenated vegetable oils other than coconut oil.

(b) Foodgrains means any one or more of the following foodgrains, including products of such foodgrains other than husk and bran.

(i) Paddy (rice in husk)

(ii) Rice (Husked)

{(ii-a) Wheat} (Inserted by G.O.Ms.No.78 dt. 29-10-1999)

(iii) Pulses including all grams such as Bengalgram, Redgram, Greengram, Blackgram both whole and split.

(c) Sugar means any form of sugar containing more than 90% of sucrose including Sugar Candy, Khandasari Sugar or Bura Sugar, crushed sugar or any sugar in crystalline or powdered form.

(d) Levy or Controlled Sugar means any form of Sugar, including Khandasari Sugar containing more than 90% of sucrose, produced and controlled by Government and to be sold or distributed to such persons and at such price as may be specified by the Government from time to time.

(e) Free Market Sugar means any form of Sugar including Khandasari Sugar other than levy sugar containing more than 90% sucrose, released to the sugar mills for sale in the free market to the bulk consumers and commercial concerns.

(ee) {x x x} (Omitted by G.O.Ms.No.1 dt. 5-1-2000)

I. State Government means the State Government of Andhra Pradesh.

J. Wholesaler means a dealer who sells goods to retailers or to bulk consumers.

K. Retailer means a dealer who sells goods to retailers or to bulk consumers.

L. Non-milling Wholesaler means a wholesaler possessing licence under this Order and not being a rice mill owner.

M. Owner in relation to a rice mill means the person who or the authority which has ultimate control over the affairs of the rice mill, and where the said affairs are entrusted to a Manager, Managing Director or a Managing Agent, such Managing Director or Managing Agent, shall be deemed to be owner of the rice mill concerned.

N. Trading Mill Wholesaler means a rice mill owner engaged in buying or selling paddy or rice and possessing a licence granted under this Order.

O. Bulk Consumer means a hotel, a restaurant, halwai, an educational institution with hostel facilities, a hospital or a religious or charitable institution, Cool Drinks Companies, Fruit Juicemakers, Bakeries, Biscuit manufacturers, Confectionery manufacturing unit.

### **3. Licensing of dealers :-**

(1) No person shall carry on business as a dealer or a commission agent dealing in paddy, except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority;

Provided that a licence obtained under any of the relevant licensing Orders in force the date of coming into force of this Order shall be valid till the of its expiry and a fresh licence shall be obtained under this Order before expiry of the date of such licence.

Provided further that bulk consumers of sugar as defined in Sub-Clause (O) of clause 2 who store more than five quintals of sugar at any one time shall also be required to obtain licences under this Order.

(2) For the purpose of this clause, any person who stores in quantity of 5 (five) quintals or more of sugar, 20 (twenty) quintals or more of any of the foodgrains or 50 (fifty) quintals or more of all

foodgrains taken together, more than 10 (ten) quintals of any one or more of pulses put together, more than 5 (five) quintals of any one or more of edible oils including hydrogenated vegetable oils or more than 30 (thirty) quintals of any one or more of oil seeds including groundnut in shell {x x x} put together, at any one time, shall unless the contrary is proved be deemed to be carrying on business as a dealer, or a commission agent dealing in paddy, under this Order.

#### **4. Issue and renewal of licence :-**

(1) Every application for a licence or renewal thereof shall be made to the licensing authority in Form A as prescribed in Schedule-II to this Order.

(2) Every licence issued, re-issued or renewed under this Orders shall be in Form-B as prescribed in Schedule-II to this Order.

(3) Every application for renewal shall be made along with the licence before expiry of the period of licence.

(4) The Licence may be renewed if the application for renewal is received within one month after the expiry of the period of its validity {subject to payment of fee of Rs.150 for renewal of wholesale licences and Rs.50 for renewal of Retailers licence.} However, if an application for renewal of licence is made after one month, the licence shall cease to be valid and the entire security deposit made under Sub-clause (1) of Clause (6) shall be forfeited. (Words in Brackets Subs. by G.O.Ms.No. 97 dt. 14-11-2000)

Provided that where an application for issue of fresh licence has been received by the licensing authority and if the application is not rejected, or returned for valid reasons, within a month, the applicant can thereafter commence business and continue till such time his application for grant of licence is rejected.

Provided further that the validity of the licence shall not be deemed to have expired if an application for its renewal as required under sub-clause (3) above is pending before the licensing authority.

#### **5. Period of Licence and fee chargeable :-**

(1) Every licence granted under this Order shall be valid for a period ending 31st March and may be issued or renewed for a period of one year or two years or three years at a time, as may be applied for.

(2) The fees specified below shall be chargeable in respect of licence (s) namely :-

<b>1. LICENCE FEES</b>	
(a) <u>Composite licence for all Scheduled Commodities</u>	Rs.Ps.
i) Wholesale and retail	2000.00
ii) Wholesale	1500.00
iii) Retail	100.00
<u>(b) Foodgrains :</u>	
(i) Wholesale	500.00
(ii) Retail	100.00
<u>(c) Edible oilseeds/edible oils :</u>	
(i) Wholesale	500.00
(ii) Retail	250.00
<u>(d) Pulses :</u>	
(i) Wholesale	400.00
(ii)Retail	100.00
<u>(e) Sugar</u>	
(i) Wholesale	300.00
(ii) Retail	200.00
(f) [x x x] (Omitted by G.O.Ms.No.1 dt. 5-1-2000)	
<b>2. RENEWAL FEES - PER YEAR</b>	
(a) <u>Composite licence for all Scheduled Commodities</u>	Rs.Ps.
i) Wholesale and retail	800.00
ii) Wholesale	600.00
iii) Retail	250.00
<u>(b) Foodgrains :</u>	
(i) Wholesale	200.00
(ii) Retail	50.00
<u>(c) Edible oilseeds/edible oils :</u>	
(i) Wholesale	200.00
(ii) Retail	100.00
<u>(d) Pulses :</u>	
(i) Wholesale	200.00
(ii) Retail	100
<u>(e) Sugar</u>	
(i) Wholesale	100.00
(ii) Retail	50.00
(f) [x x x] (Omitted by G.O.Ms.No.1 dt. 5-1-2000)	
<b>3. DUPLICATE LICENCE FEES:</b>	
(a) <u>Composite licence for all Scheduled Commodities</u>	Rs.Ps.
i) Wholesale and retail	700.00
ii) Wholesale	350.00

iii) Retail	200.00
<u>(b) Foodgrains :</u>	
(i) Wholesale	150.00
(ii) Retail	50.00
<u>(c) Edible oilseeds/edible oils :</u>	
(i) Wholesale	150.00
(ii) Retail	100.00
<u>(d) Pulses :</u>	
(i) Wholesale	150.00
(ii) Retail	100
<u>(e) Sugar</u>	
(i) Wholesale	100.00
(ii) Retail	50.00
(f) [x x x] (Omitted by G.O.Ms.No.1 dt. 5-1-2000)	

Provided that if the licence is applied within the first half of the year i.e., between the 1st April and the 30th September full fee shall be remitted for the year and in case the licence is applied for during the second half of the year i.e., on or after the 1st October and before the 31st March, 50% of the licence fee for that year shall be remitted.

(3) A separate licence shall be obtained by a dealer for each place of business except in respect of places of purchase.

(4) The holder of a licence may obtain from the licensing authority a duplicate of the licence issued to him if the original is lost, destroyed or defaced.

## **6. Deposit of Security :-**

(1) Every person applying for licence under this Order shall before such licence is issued has to deposit the following sums with the licensing authority for the due performance of the conditions subject to which the licence is granted.

	Wholesale	Retail	Composite
	Rs.	Rs.	Rs.
(i) Sugar	500	50	550
(ii) Foodgrains	250	50	300
(iii) Edible Oil Seeds and Edible Oils	100	50	150
Composite	850	150	1000
Subs. by G.O.Ms.1 dt. 5-1-2000)			



Provided that nothing in this sub-clause shall apply to shop run by the State Government undertaking or a Corporation wholly owned by the State Government under a Government Scheme.

(2) The security may be in the shape of National Defence Certificates, National Savings Certificates and the like pledged, or cash deposited in Government treasury of the district concerned or cash guarantee, in favour of the licensing authority for due performance of the terms and conditions subject to which the licence is granted to him.

Provided that nothing contained in this clause shall apply to the Wholesale Consumers Cooperative Societies, Primary Cooperative Stores and the Gram Panchayats running fair price shops.

**7. Power to refuse to grant or renew licence :-**

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 licence.

**8. Cancellation or suspension of a licence :-**

(1) No holder of a licence issued under this order or his agent or servant or any person acting on his behalf shall contravene any of the terms or conditions of the licence, and if any such holder or his agent or servant or any person acting on his behalf contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by an order in writing of the licensing authority.

Provided that no order shall be made under this clause unless the licensee has been given reasonable opportunity of stating his case and being heard in person against the proposed cancellation or suspension:

Provided further that if any dealer possessing a licence for more than one scheduled commodity contravenes any of the provisions of this Order in respect of one scheduled commodity, the licence shall be cancelled or suspended in respect of that commodity only and the licence stands valid for the remaining scheduled commodities, if any.

(2) Notwithstanding any thing contained in sub-clause (1) above

where a licensee has been convicted by a court of law in respect of contravention of any order made under Section 3 of the Essential Commodities Act, 1955. (Central Act 10 of 1985) relating to any of the commodities mentioned in Schedule-I to this Order, the licensing authority shall by order in writing cancel his licence.

Provided that where such conviction is set aside in any appeal or revision, the licensing authority may, on application, in Form- A by the person whose licence has been cancelled, re-issue the licence to such person.

#### **9. Forfeiture of Security Deposit :-**

(1) Without prejudice to the provisions of sub-clause (4) of clause 4 and clause 8, if the licensing authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the security is called for, the said authority may, after giving the licensee a reasonable opportunity of stating his case and being heard in person against the forfeiture, by order, forfeit, the whole or any part of the security deposit made by the licensee under sub-clause (1) of clause 6 of the order.

(2) Where the security deposit of a licensee or any portion thereof is forfeited, the licensee shall deposit the amount so forfeited : (i) Where no appeal against the order of forfeiture has been filed within thirty days from the date on which the order was communicated to him, or (ii) Where an appeal against such order has been filed and dismissed, within seven days of the dismissal of appeal.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

#### **10. Disposal of stock when licence is cancelled or suspended :-**

When licence issued under this Order is cancelled or suspended, the stocks of that scheduled commodity available with the licensee in respect of which contravention has taken place, shall be disposed of in accordance with the directions of the licensing authority.

#### **11. Restriction on possession of scheduled commodities :-**

No licensee shall either by himself or by any person on his behalf, store or have in his possession at any time the commodities in

excess of the quantities specified below :

(i) Sugar :

(i) Sugar :

	Wholesaler	Retailer
	Qutls.	Qutls.
(a) In cities and towns with a population of one lakh or more	1000	20
(b) In other areas with a population of less than one lakh.	1000	10
(c) Khandasari (Open pan sugar) (any where in the State)	1000	20

Provided that the above stock limits shall not apply to the holding or keeping of stock of sugar or khandasari

(i) on Government account; or

(ii) by the recognised dealers nominated by a State Government or an officer authorised by it to hold stock for distribution through fair price shops; or

(iii) by the Food Corporation of India.

Provided further that the aforesaid stock holding limit/turn over period of stock shall not apply to sugar imported under Open General Licence.

(ii) Pulses (All pulses taken together)

	Wholesaler	Retailer
	Qutls.	Qutls.
(a) Category A City (Hyderabad) (with population of 10 lakhs and more)	2000	50
(b) Category B Cities (Visakhapatnam, Vijayawada, Guntur and Warangal) (with population of 3 lakhs and more but less than 10 lakhs.)	1000	40
(c) Category C other areas (with a population of below 3 lakhs)	1000	40
(d)[x x x] (Omitted by G.O.Ms.No.1 dt. 5-1-2000)		

Provided that the stock limits specified for a wholesaler in Category A Cities shall apply to a wholesaler in such primary mandi is situated in other categories of Cities as the State Government may, having regard to the location of such mandies or other relevant factors, from time to time, specify;

Provided further that where a dealer is also carrying on business as

a producer or commission agent, he shall be entitled to retain the stock limits specified in this sub-clause for each such business if such business and accounts thereof are kept separate and distinct from one another.

Provided also that no producer specified in column (1) of the Table below shall store or have in his possession at any time unmilled pulses as the case may be in excess of the quantity specified in the corresponding entry in column (2) of the said Table, and he shall not hold the stock of milled pulses in excess of the quantity specified in the corresponding entry in column (3) of said table.

**TABLE**

Producer	Quantity of unmilled pulses		Quantity of stock of milled pulses	
(1)	(2)		(3)	
	Producer who is carrying on business on the commencement of this Order	Producer who has commenced production after the commencement of this Order.	Producer who is carrying on business on the commencement of this Order	Producer who has commenced production after the commencement of this Order.
Producer of pulses	One-Twelfth of the maximum quantity of pulses used by him in any of the three years ending on the 31st day of October, 1982.	For a period of one year from the date of commencement of his production one-twelfth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity. For the second year and third year of his production, one twelfth of the quantity of pulses t h a t would be required for producing a quantity equal to his annual installed capacity and thereafter one twelfth of the maximum of pulses used by him in any of the three years immediately after commencement of his production.	One-twenty fourth of his maximum production in a n y of the three years ending on 31st day of October, 1982.	For a period of one year from the date of commencement of his production, one twenty fourth of the quantity equal to his annual installed capacity. For the second year and third year of his production 1/24th of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity and thereafter one twenty-fourth of the maximum quantity of the pulses used by him in any of the three years immediately after the commencement of his production.]

(Proviso along with table inserted by G.O.Ms.No 37 dt. 17-4-1998)

(iii) Edible Oil Seeds & Edible Oils :

[x x x] (Omitted by G.O.Ms.No.6 dt. 4-2-1998)

(iv) Wheat

(a) Wholesalers (other than Roll Floor Mills)	250 Qtls.
(b) Roller Floor Mills	One month's grinding capacity
(c) Retailers	20 Qtls.

Cl. (iv) inserted by G.O.Ms.No. 962 dt. 17-12-1996)

(v) Wheat Products	Stock Limit
(a) Biscuits manufactured with production capacity of	
(i) 10,000 quintals and above	3,750 Qtls.
(ii) 8,000 quintals and above upto 10,000 quintals	3,000 Qtls.
(iii) 6,000 quintals and upto 8,000 quintals	2,250 Qtls.
(iv) Below 6,000 quintals	1,500 Qtls.
(b) Dealers in Packed Atta	Stock Limit
Hyderabad	2,000 Qtls.
Vijayawada	1,000 Qtls.
In other places	250 Qtls.

(Cl.(iv) inserted by G.O.Ms.No.186 dt. 2-4-1997)

## **12. Power to issue directions :-**

(1) The Government, the Commissioner, the Collector or the licensing authority may issue instructions or directions on all matters, covered by the provisions of this Order and all dealers shall comply with the same.

(2) Without prejudice to the generality of the foregoing power such directions may be issued to any dealer that all or any of the commodities mentioned in Schedule-I to this Order may be sold to only such persons or institutions, in such quantities and at such intervals as the Commissioner, Collector or the licensing authority may by general or special order, direct.

## **13. Directions to convert Edible Oil Seeds into Edible Oils :-**

The Government, the Commissioner, the Collector or the licensing authority may, if considered necessary, direct that a dealer shall convert wholly or partly, edible oil seeds stored or held by him for the purpose of conversion into edible oils within a reasonable period.

## **14. Licensee not to purchase scheduled commodities at**

**prices lower than the notified procurement price from farmers :-**

(i) Any person who holds a licence under this Order, or his agent or servant or any other person acting on his behalf and transacting business by purchasing scheduled commodities shall not purchase the scheduled commodities of fair average quality specifications at a price lower than the price notified, if any, by the State Government or the Central Government.

(ii) Every purchaser under clause 14(i) shall cause to be taken and sealed in the presence of the Producer/Agriculturist, two representative sample packets and handover one sample packet to the Producer/Agriculturist and retain the other with him. He shall also issue a receipt to the Producer/Agriculturist showing the variety of the paddy, quantity, price per quintal and total amount paid and keep one copy of the receipt with him.

**15. Licensee not to sell scheduled commodities at prices higher than maximum prices fixed :-**

The licensee shall not sell the scheduled commodities at a price higher than the maximum price, if any, fixed therefor, from time to time by the Central Government or by the State Government under any law for the time being in force.

**16. Appeal :-**

(1) Any person aggrieved by an order of the licensing authority refusing to issue, re-issue or renew a licence or cancelling or suspending a licence or forfeiting the security deposit under the provisions of this Order, may within thirty days of the date of receipt by him of the Order, appeal :-

(a) to the Joint Collector if such order is that of the District Supply Officer or the Tahsildar in districts;

(b) to the Chief Rationing Officer if such order is that of District Supply Officer (City) or Assistant Supply Officer, in respect of twin-cities of Hyderabad and Secunderabad.

Provided that in case of cancellation of a licence by the licensing authority on the ground of conviction by a Court of Law no appeal against such cancellation shall lie to the Appellate Authority.

(2) No order shall be passed in appeal unless the aggrieved person has been given an opportunity of stating his case in writing and

being heard in person.

(3) Pending the disposal of an appeal, the appellate authority may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect, until the appeal is disposed.

#### **17. Revision :-**

(1) The State Government may on their own motion or on an application made to them call for and examine the record of the subordinate officers to satisfy themselves, as to the regularity of such proceeding, or correctness, legality or propriety of any decision passed or made therein and if in any case it appear to the Government that any such decision or order should be modified, annulled or remitted for reconsideration, they may pass orders accordingly.

(2) No order Prejudicial to any person shall be passed under sub-clause (1) above, unless such person has been given an opportunity of making his representations.

(3) The State Government may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect until the revision is disposed of.

#### **18. Powers of entry, search, seizure etc :-**

(1) The licensing authority or any other officer of the Revenue Department not below the rank of Revenue Inspector of U.D. Cadre or any Commercial Tax Inspector or any Officer of the Civil Supplies Department not below the rank of an Inspector of U.D. Cadre or any Officer of the Police Department not below the rank of a Sub-Inspector in his respective jurisdiction 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 the licence issued thereunder has been, is being, or is about to be committed, to produce any books, 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 the conditions of the licence issued thereunder has been, is being or is about to be committed.

(c) seize any books of accounts and documents which in the option of the licensing authority or as the case may be, the authorised officer, would be useful for or relevant to any proceedings under this Order and return such books of accounts and documents within three months from the date of such seizure to the person from whom they were seized after taking or causing to be taken extracts from or copies thereof as certified by the person in form D .

(d) search, seize and remove stocks of all or any of the commodities mentioned in Schedule-I to this order in respect of which contravention has taken place; and the animals, vehicles, vessels, or other conveyance used in carrying the said commodity in contravention of the provisions of this Order or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of commodities and the animals, vehicles, vessels or other conveyance so seized before the Collector and for their safe custody pending such production.

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

### **19. Savings :-**

Nothing in this Order shall apply to :-

(i) the purchase, sale or storage for sale of commodities mentioned in the Schedule-I to this Order on Government account and by the Food Corporation of India and the Andhra Pradesh State Civil Supplies Corporation, the Girijan Cooperative Corporation and Gujarat Cooperative Milk Marketing Federation Limited.

(ii) the sale by banks of stocks hypothecated to them provided that the commodity is sold in accordance with the terms and conditions applicable to the hypothecators.

### **20. Power to Exempt :-**

The State Government may, if it considers it necessary for avoiding any hardship or for any other just and sufficient reason, by notification, in the Official Gazette, exempt any producer, dealer or commission agent from the operation of all or any of the provisions



of this Order, either generally or for any specified period, subject to such conditions as may be specified in the notification.

Provided that no notification under this clause shall be issued except with the previous approval of the Central Government.

SCHEDULE 1

Schedule

**Schedule - I**

[See Clause 2 (h)]

1. Edible Oil seeds and Edible oils
2. Foodgrains
3. Sugar
4. [x x x] (Omitted by G.O.Ms.1 dt. 5-1-2000)

SCHEDULE 2

Schedule