

RICE MILLING INDUSTRY (REGULATION AND LICENSING) RULES, 1959

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SCHEDULE 1 :- SCHEDULE

RICE MILLING INDUSTRY (REGULATION AND LICENSING) RULES, 1959

RICE MILLING INDUSTRY (REGULATION AND LICENSING) RULES,
1959

1. Short title and commencement :-

(1) These rules may be called the Rice-Milling Industry (Regulation and Licensing) Rules, 1959.

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires

(a) "Act" means the Rice-Milling Industry (Regulation) Act, 1958;

(aa) "Chira" means flattened rice recovered from moist paddy by boiling and/or roasting pressing it ;

(b) "Form" means a Form set forth in the Schedule to these rules ;

(c) "Licence" means a licence granted under S. 6 of the Act ;

(d) "Permit" means a permit granted under S. 5 of the Act,

3. Permits :-

(1) Every application for a permit shall be in Form I.

(2) The investigation referred to in sub-S. (4) of S. of the Act shall be made with a view to ascertaining whether the grant of the permit is necessary for ensuring an adequate supply, of rice and whether the proposed mill help in avoiding wastage and improve quality of rice and other bye-products through the adoption or modern techniques and shall in addition to the matters specified in Cls. (a) to (e) of that sub-section, relate to the ascertainment of information regarding

(a) the effect that the operation of the new or the defunct rice mill may have on the local economy ;

(b) the pattern of trade and commerce in rice in the locality ;

(c) the reasons for the stoppage of operation in the case of a defunct rice mill ;

(d) the necessity or otherwise for an addition to the production capacity of the existing rice mills in the locality ;

(e) whether hand-pounding industry in the locality is already well organised and whether the establishment of a new rice mill is likely to affect adversely that industry ;

(f) the scope for development of the hand-pounding industry in the locality.

(3) At the time of granting a permit for the establishment of a new rice mill or recommencement of milling operations in a defunct rice mill, the authority empowered to grant permit may impose all or any of the following conditions namely :

(a) in case the proposed mill consists of one or more than one huller the applicant shall ensure that no such huller is utilised for dehusking paddy and that for the purpose of such dehusking such applicant installs rubber roll sheller or centrifugal dehusker along with a paddy cleaner and a paddy separator at any time before such establishment or recommencement of milling operations in a defunct rice mill :

Provided that in the case of a angle huller, the dehusker, paddy separator may be installed either as individual separate unit or incorporated into one integrated composite mill ;

Provided further that this clause shall not apply to new units of rice mills powered by motor of 15 horse power and less, and consisting of not more than one huller and having no paraboiling equipment of their own which will be located in rural areas and which will be doing any custom milling of paraboiled paddy ;

Provided also that the mills referred to in the second proviso shall instal a rubber roll sheller or centrifugal dehusker along a paddy cleaner and paddy separator within a period of 5 years from the date on which licence is initially granted ;

(b) in case the proposed mill is sheller-cum-huller type, the applicant shall ensure that

(i) he instals a rubber roll sheller with a paddy cleaner and a paddy separator for purpose of dehusking paddy ;

(ii) he utilises the huller only for the polishing of rice till such time as direction to the contrary are received by him from the said authority or the licensing officer, and

(c) in case the proposed mill is a sheller type, the applicant shall ensure that he instals a rubber roll sheller fitted with a paddy cleaner and paddy separator.

(4) A permit granted under S. 5 of the Act shall be in Form II.

(5) Every person to whom a permit has been granted shall

(a) if it is for the establishment of a new rice-mill, establish the same within six months, or

(b) if it is for recommencing operation in a defunct rice-mill, recommence such operation within three months, from the date of grant of the permit or within such further period as the authority granting the permit may allow.

4. Licences :-

(1) An application for a licence may be made

(a) by the owner of a new rice-mill who has obtained a permit under S. 5 of the Act, after he has established the mill within the prescribed period ;

(b) by the owner of a defunct rice-mill who has obtained a permit for recommencing milling operation ; and

(c) by the owner of an existing rice-mill, within such period after the recommencing of the Act as may be specified in the order under the provisions of sub-S. (2) of S. 8 of the Act.

(2) Every application for a licence shall be in Form III and shall be accompanied by the treasury receipt evidencing payment of the prescribed fee.

(3) The fee payable for a licence shall be Rs. 20 and that for the renewal of a licence shall be Rs. 10.

(4) Every licence granted under S. 6 of the Act shall be in Form IV, shall be subject to the conditions specified therein and shall be valid for such period not exceeding one year as may be specified therein and may be renewed for a period not exceeding one year at a time.

5. Duplicate licence :-

If the licensing officer is satisfied that a licence is defaced, lost, destroyed or otherwise rendered useless, he may on payment of a fee of Rs. 30 issue a duplicate licence.

6. Deposit of security :-

(1) Every licensee shall, before the licence is granted, deposit security of the value of Rs. 200 if the rice-mill is the huller type or is a Chira producing rice-mill or Rs. 500 if it is of any other type for the due performance of the conditions subject to which the licence is granted to him.

(2) The security referred to in sub-R. (1) may be in any of the following Forms, namely :

(a) Demand draft on the State Bank endorsed in favour of the licensing officer ;

(b) Deposit-at-call-receipt of the State Bank endorsed in favour of the licensing officer ;

(c) Government securities at 5 per cent below market price or at free value, whichever is less, endorsed in favour of the licensing officer ;

(d) Post Office Saving Bank Pass Book, the account being pledged to the licensing officer ;

(e) Cash deposit into Government Treasury under the Head

"Revenue Deposit".

(3) Where the security deposited by a licensee or any portion thereof is forfeited under S. 7 of the Act, the licensee shall deposit the amount so forfeited

(a) where no appeal against the order of forfeiture has been filed, within 30 days from the date on which the order was communicated to him ; or

(b) where an appeal against such order has been filed and dismissed, within 7 days of the dismissal of the appeal.

7. Polishing of rice :-

(1) It shall be a condition of every licence that the licensee shall not remove more than five per cent or less than three per cent of bran.

(2) Notwithstanding the provisions in sub-R. (1) the licensing officer may, by written order, permit the removal of more than five per cent or less than three per cent of bran in the case of

(a) rice milled for the purpose of export from India, or

(b) rice milled for use of particular purposes or by particular class of persons. The provisions of sub-Rr. (1) and (2) shall not apply to Chira produced by a rice mill.

8. Stay orders on appeal :-

The appellate officer before whom an appeal against a decision of the licensing officer refusing to renew a licence under S. 6 or revoking or cancelling a licence under S. 7, of the Act is pending may, by order, direct that such decision shall not take effect pending the disposal of the appeal.

9. Accounts and returns :-

(1) Every licensee shall maintain correct and true accounts in respect of his rice mill in such form and manner as the licensing officer may specify.

(2) Every licensee shall submit to the licensing officer a return in Form V for every fortnight ending with the 15th day, or as the case may be, the last day of the month so as to reach the licensing officer within five days of the close of such fortnight.

10. General :-

Every licensee shall be bound to

(a) furnish the licensing officer such information or statistics relating to his mill as the licensing officer may require, and

(b) give the licensing officer or any officer authorised under S. 9 of the Act all facilities at all reasonable times to enter and inspect the rice mill or the stocks of paddy and rice in his possession or custody and take samples thereof for examination and to inspect the accounts relating to his business.

11. Penalty :-

A contravention of any of these rules shall be punishable under sub-S. (2) of S. 13 of the Act.

SCHEDULE 1

SCHEDULE