

Madhya Pradesh (Milk Export) Control Order, 2002

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Madhya Pradesh (Milk Export) Control Order, 2002

WHEREAS having regard to the factorsspecified in sub-paragraph 20 of the Milk and Milk Product Order, 1992, I am satisfied that in order to maintain and increase the supply of liquid milk in the areas specified in sub-paragraph 2 of paragraph I of this order, it is necessary to do so. Now, therefore, in exercise of the powers conferred by sub-paragraph (1) of paragraph 20, read with paragraph 27, of the Milk and Milk Product Order 1992,1 hereby make the following order, namely:-

1. Short title, extent and commencement :-

(1) This order may be called the Madhya Pradesh (Milk Export) Control Order, 2002. (2) It extends to the Districts of Bhopal, Indore, Jabalpur, Gwalior, Chambal & Ujjain Division of Madhya Pradesh. (3) It shall come into force on the date of its publication in the Official Gazette and shall cease to operate 11 March, 2003. Provided that the expiry of this order shall not affect the operation thereof in respect of things done or omitted to be done before such cessation of operation.

2. Definitions :-

In this order unless the context otherwise requires: (a) "Controlling Officer" means the Registering Authority appointed under para 13 of the Milk and Milk Products Order, 1992. (b) Export means take or cause to be taken by any means whatsoever, out of any place in the areas specified in sub-paragraph 2 of paragraph 1 of this order to any place outside the State of Madhya Pradesh. (c) Milk means of cow, buffalo, sheep, goat or a mixture thereof either raw or processed in any manner and included pasteurized, sterilized,

recombined, flavoured, acidified, skimmed, toned, double toned, standardized or full cream milk. (d) "Milk Product" means: (i) Whole Milk Powder (ii) Skimmed Milk Powder (iii) Infant Milk Food (iv) Condensed Milk (Sweetened and Unsweetened) (v) Desi Ghee, Butter, Butter Oil, (by whatever name called). (vi) Cottage Cheese (Paneer) (vii) Sweets made from Milk and its derivatives. (viii) Khoya and robree (ix) Casein.

3. Prohibition on conversion of milk into milk product and sale, service of milk products and ban on the export of milk

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(a) No person shall use milk for the manufacture of any milk product. (b) No person shall export or cause to be exported milk and milk product outside the above districts of Madhya Pradesh- (c) No person shall, serve or supply or cause to be sold, served or supplied or purpose for sale, service or supply Khoya Paneer and sweets made by the use of milk derivatives of milk- Provided that nothing in this clause shall apply to use of milk: (i) For the manufacture, sale, service or supply of ice-cream, kulfi or any other article, in the preparation of which no khoya and/or rubree is used; (ii) For the manufacture, sale, service or supply of such milk product and export of milk for the needs of the defence forces, the Delhi Milk Scheme, the Mother Dairy, New Delhi and the registered Cooperative Societies/Unions/Government Dairy Plants for maintaining liquid milk supply; (iii) For the manufacture, sale, service or export of Khoya and/or rubree or any other milk product on such occasions and subject to such terms and conditions as the Controlling Officers may, by order, specify; (iv) For production of Skimmed Milk Powder, Whole Milk Powder, and Infant Milk Food to the level of 50% of actual average of daily production during the period 1st to 30th November, 02 and White Butter as a by-product in the process of manufacture of these milk products for recombination into liquid milk.

4. Powers of entry search and seizure :-

(1) The Controlling Officer or any Magistrate or any Police Officer not below the rank of Assistant Sub-Inspector or any officer of the Food and Supplies Department not below the rank Asstt. Inspector or any Revenue Officer not below the rank of Naib Tehsildar of the Government of Madhya Pradesh specially authorised by the Commissioner, Food, Supplies and Consumer Affairs of the Government of Madhya Pradesh or any other Officer authorised in this behalf by the Controlling Officer may, with a view to securing

compliance with this order or to satisfy himself that this order is being complied with : (a) Stop and search any person or any boat, motor or any other vehicle or any receptacle or any machinery used or intended to be used for export of milk or for manufacture of milk product. (b) Require any person to give any information and to produce books or account or other documents showing transaction relating to milk or milk product and seize any such books of account or documents which in his opinion would be relevant to any proceedings under this order. (c) Seize any milk or milk product in any place or premises together with packages, coverings, receptacles or machinery in which milk or milk product is found or with which such milk product is manufactured, or the animals, vehicles, vessels, boats or other conveyances used in carrying milk or milk product and thereafter take all measures necessary through a "superdar" or otherwise for securing the production of the packages, coverings, receptacles or machinery so seized in court and for their safe custody pending such production. The provisions of Section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, as far as may be apply to searches and seizure under this order.

5. Power of Controlling Officer :-

The Controlling Officer may pass such interim order as he considers necessary regarding utilization of milk or milk products seized to maintain the supply of milk in the State of Madhya Pradesh.