

**THE MEGHALAYA PULSES, EDIBLE OILSEEDS AND EDIBLE OILS
[LICENSING AND CONTROL] ORDER, 1979.**

NO. SUP. 200 / 77 / 56, dated . :: In exercise of the Power conferred by Section - 3 of the Essential Commodities Act, 1955, [10 of 1955] read with the NO. GSR. 316 (E), dated the 20th June, 1972, of the Govt. of India and with the prior concurrence of the Central Govt., the Govt. of Meghalaya hereby makes the following Order namely :-

01. Short title, extend, application and commencement :-

- (i) This Order may be called the **Meghalaya Pulses, Edible Oil Seeds and Edible Oils [Licensing and Control] Order, 1979.**
- (ii) It extends to the whole of the State of Meghalaya.
- (iii) It shall come into force at once.

02. Definition :- In this Order, unless there is anything repugnant to the subject or context :-

- (a) "**Deputy Commissioner**" includes the **Additional Deputy Commissioner** and the Sub - Divisional Officers within their respective jurisdiction ;
- (b) "**Dealer**" means a Person engaged in the Business of purchase, sale or storage for sale, of any Pulses or Edible Oil Seeds and Edible Oils whether or not in conjunction with any other business and includes his representative or Agent ;
- (c) "**Director**" means the **Director of Supply**, Meghalaya.
- (d) "**Licensing Authority**" means the Director of Supply, Meghalaya, the Deputy Commissioner, (Supply) or any other Officer not below the rank of the Sub - Divisional officer, (Supply) ;
- (e) "**Producer**" means a Person carrying on the business of Milling any of the Pulses or expelling, extracting or manufacturing any Edible Oils ;
 - (i) By buying Pulses or Edible Oil Seeds for being processed by himself and selling the finished Products to a Wholesaler or through a Commissioner Agent ;
 - (ii) By doing any of the processes of Milling, expelling, extracting or manufacturing on behalf of another ;
- (f) "**Pulses**" means Urd, Moong, Arhar, Massor, Lobia, Raj - Maha, or any other Dal whether whole or split with or without husk ;

- (g) " **Edible Oils** " means Oil used for Cooking for human consumption and includes hydrogenated Oils ;
- (h) " **Retailer** " means a Dealer in Pulses or in Edible Oilseeds in Edible Oils who is not a Wholesaler ;
- (i) " **Wholesaler** " means a Dealer in Pulses or in Edible Oilseeds or in Edible Oils who sells these Commodities to other Dealers or to bulk Consumers ;
- (j) " **Commission Agent** " means a Commission Agent having in the customary course of business or such Agent Authorised either to sell goods or to consign goods for the purpose of sale or to buy goods ;
- (k) " **Bulk Consumer** " means a Hotel, Restaurant, Hostel, Hospital or Halwai ;
- (l) " **Category ' A - City '** " means a City included as a Category - ' A ' City in the Schedule to this Order having a population of *10 Lakhs* and more ;
- (m) " **Category ' B - City '** " means a City included as a Category - B City in the Schedule to this order having a Population of 3 Lakhs and more but less than *10 Lakhs*, or the Capitals of a State or a Union Territory not included in the Category - 'A' City ;

[Schedule attached with the Order]

- (n) " **Category ' C - City '** " means a City which is not a Category - ' A ' City or Category - ' B ' City ;
- (o) " **Primary Mandi** " in relation to Pulses and Edible Oilseeds, means a mandi where the Farmers initially sell their produce.

03. Dealer to be Licensed :-

No Person shall carry on business as a Dealer in Pulses, Edible, Oilseeds or Edible Oil, of the stocks at any time, exceed the limits specified below except under and in accordance with the terms and conditions of a Licence issued by the Licensing Authority under this order ;

- (i) *Pulses* -- *10 quintals for all Pulses taken together.*
- (ii) *Edible Oils including hydrogenated Vegetable Oils.* -- *5 quintals for all Edible Oils including hydrogenated Vegetable Oils taken together.*
- (iii) *Edible Oilseeds including Groundnut in shell.* -- *30 quintals of all Edible Oilseeds.*

03. " A " **Restriction on possession of Pulses, Edible Oilseeds and Edible Oils** :-

No Dealer shall, either by himself or by any Person on his behalf, store or have in his possession at any time any Pulses, Edible Oilseeds or Edible Oils in excess of the quantities specified below :-

Producer			Stock limits in quintals in cast		Remarks	
			Wholesale	Retail		
(i)	Pulses	Shillong, Tura, Jowai, Nongstoin, Williamnagar and other Places in the State.	750 500	40 30	All Pulses taken together	
(ii)	Edible Oilseeds including Groundnut in shell.	Shillong	1,000	75	1.	All Edible Oilseeds taken together
		Tura, Jowai, Nongstoin, Williamnagar and other Places in the State	500	50	2.	For Groundnut Kernel or Seed 75 Percent of the limits specified shall apply.
(iii)	Edible Oils including hydrogenated Vegetable Oils.	Shillong, Tura, Jowai, Nongstoin, Williamnagar and other Places in the State.	600 350	15 10	All Edible Oils Including hydrogenated Vegetable Oils	

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 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, Edible Oilseed as or Mustard Seeds, 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 finished stock in excess of the quantity specified in the corresponding entry in Column- (3) of the said Table.

TABLE

TABLE				
Producer	Quantity of unmilled Pulses, Edible Oilseeds or Mustard Seeds		Quantity of finished stock namely, Oilseed, Pulses or Mustard Oil	
(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 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 31 st day of October, 1977.	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.	One twenty – fourth of his maximum production in any of the three years ending on the 31 st day of October, 1977.	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.
Producer of Oil other than Mustard Oil	One - eight of the maximum quantity of Edible Oilseeds used by him in any of the three year ending on the 31 st day of October, 1977.	For a period of one year from the date of commencement of his production, one eight of the quantity of Edible Oilseeds that would be required for producing the quantity equal to his annual installed capacity.	One - twelfth of his maximum production in any of the three years ending on the 31 st day of October, 1977.	For a period of one year from the date of commencement of his production, one - twelfth of a quantity equal to his annual installed capacity.
Producer of Mustard Seeds.	One - twelfth of the maximum quantity of Mustard Seeds used by him in any of the three years ending on the 31 st day of October, 1977.	For a period of one year from the date of commencement of his production, one twelfth of the quantity of Mustard Seeds that would be required for producing the quantity of Mustard Oil equal to his annual installed capacity.	One - twelfth of his maximum production in any of the three years ending on the 31 st day of October, 1977.	For a period of one year from the date of commencement of his production, one - twelfth of a quantity equal to his annual installed capacity.

Provided also that where any quantity of Pulses, Edible Oils or Edible Oilseeds is in transit, then for the purpose of this Sub – Clause, such quantity shall not, during the period such quantity is in transit be deemed to have been include in the stocks of the Dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put in such transit.

04. Application for Licences :-

Any application for a Licence under this Order shall be made in Form – “ A ” to the Licensing Authority, appended with the Order.

05. Matter to be taken into consideration in granting Licences. :-

In granting or refusing a Licence under this Order, the Licensing Authority shall, amongst other matters have regard to :-

- (a) The stock of Pulses or Edible Oils as the case may be available in the locality ;
- (b) The business ordinarily carried on by the Applicant ;
- (c) Any other matter which in the opinion of the Licensing Authority is relevant for the purpose.

06. Issue of Licences :-

Every Licence issued under this Order shall be in Form – “ B ” of this Order.

07. Period of validity of Licence :-

Every Licence issued under this Order shall be valid till such date or for such period as the Licensing Authority prescribed in that behalf, and may be renewed for one year at a time..

08. Fee for Licence :-

The Fee payable for a Fresh Licence under this Order shall be Rs. 10/- and Rs. 2/- for its renewal in case of Wholesalers and Rs. 5/- for Fresh Licence and Rs. 8/- for Renewal in case of Retailer.

09. Duplicate Licence :-

If the Licensing Authority is satisfied that a Licence issued under this Order is defaced, lost or destroyed or otherwise rendered useless he may, on application made in that behalf and on payment of a Fee of Rs. 20/- in case of Wholesalers and Rs. 15/- in the case of Retailer, issued a Duplicate Licence.

10. **Accounts and Returns. :-**

Every Dealer referred to in Clause – 3 and every Producer who holds stocks of Pulses, Edible Oilseeds and Edible Oils in excess of the limits specified for a Wholesaler in **Clause – 4**, of the **Meghalaya Pulses, Edible Oilseeds and Edible Oils (Storage Control) Order, 1977**, referred to in **Clause – 5**, of this Order shall :-

- (i) maintain correct and true Account in respect of the business in such Form and manner as the Director may specify, and
- (ii) submit a fortnightly Returns to the Licensing Authority in *Form – “ C ”* in respect of the Pulses and Edible Oilseeds and Edible Oils including hydrogenated Vegetable Oils and Groundnut in shell held by him.

11. **Suspension or Cancellation of Licence :-**

If any Licensee, either by himself or through his Agent or Servant acting on his behalf contravenes any of the provisions of this Order or any of the conditions of the Licence, then, without prejudice to any other action that may be taken against him, the Authority issuing the Licence, may, after giving him an opportunity for making his objections, suspend or cancel the Licence. A Copy of the Order of suspending or cancelling the Licence shall also be sent to the Licensee.

12. **Disposal of stocks in certain cases :-**

Where a Licence is suspended or cancelled under *Clause – 11*, the Director or the Deputy Commissioner / Sub – Divisional Officer may be Order, direct the Person where Licence is suspended or cancelled to dispose the stock of the Pulses or Edible Oils with him in such manner and within such time as may be specified in the Order.

13. **Appeal :-**

Appeal against the Order of the *Sub – Divisional Officers* shall lie to the *Deputy Commissioners* and of the *Deputy Commissioner* shall lie to the *Director* and appeals against the original Order of the Director shall lie to the State Govt., within *Thirty days* of the date of the Order Appealed against.

SCHEDULE
[See Clause - 2 (L) and (M)]

Category 'A' Cities

(Having a Population of 10,00,000 and above)

- | | |
|---------------|--------------------|
| 01. Calcutta | 02. Greater Bombay |
| 03. Delhi | 04. Hyderabad |
| 05. Madras | 06. Bangalore |
| 07. Ahmedabad | 08. Kanpur |
| 09. Poona | |

Category 'B' Cities

(Having a Population of 3,00,000 and more but less than 20,00,000 and capital ratio of States and Union Territories other than categories 'C' Cities.

- | | |
|--|--------------------|
| 01. Nagpur | 02. Coimbatore |
| 03. Madurai | 04. Agra |
| 05. Varanasi | 06. Indore |
| 07. Jabalpur | 08. Allahabad |
| 09. Surat | 10. Vadodara |
| 11. Tiruchapalli | |
| 12. Amritsar | 13. Jmashedpur |
| 14. Cochin | 15. Dhanbad |
| 16. Salem | 17. Gwalior |
| 18. Ludhiana | 19. Sholapur |
| 20. Ulhasnagar | 21. Hubli Dharwar |
| 22. Meerut | 23. Vishakhapatnam |
| 24. Mysore | 25. Vijaywada |
| 26. Calicut | 27. Bareilly |
| 28. Jodhpur | 29. Rajkot |
| 30. The Capital Cities of States and Union Territories other than Category - 'A' Cities. | |

SCHEDULE
FORM ' A '
[See Clause - 4]
The Meghalaya Pulses, Edible Oilseeds and Edible Oils
[Licensing and Control] Order, 1979.

Application for Licence

01. Applicant's Name. ::
02. Applicant's Profession. ::
03. Applicant's Residence. ::
04. Situation of Applicant's place or places of business with particulars as to number of House, Mohalla, Town or Village, Police Station and District. ::
05. How long the Applicant has been trading in Pulses, Edible Oilseeds and Edible Oils. ::
06. Did the Applicant hold a Pulses, Edible Oilseeds and Edible Oils Licence on any previous occasion ? (If so, give particulars including its suspension or cancellation, if any). ::
07. Quantities of Pulses, Edible Oilseeds and Edible Oils handled annually during the last two years (January - December). ::
08. Income Tax paid in the two years proceeding the year of application (to be indicated separately). ::

1. _____ . ::

2. _____ . ::

09. Quantity of Pulses, Edible Oilseeds and Edible Oils in the possession of the Applicant on the date of Application and the Place at which the different quantities are kept. ::

I declared that the quantities of Pulses, Edible Oilseeds and Edible Oils specified above are in my possession this day and are held at places noted against them.

I have carefully read the conditions of Licence given in **Form - " B "** appended to the **Meghalaya Pulses, Edible Oilseeds and Edible Oils (Licensing and Control Order), 1979** and I agree to abide by them.

* (a) I have not previously applied for a Licence in this District under this Order.

* (b) I applied for such Licence in this District for _____ on _____ and was / was not granted a Licence on _____ .

* (c) I hereby apply for Renewal of Licence Number _____ dated _____ issued to me, on _____ .

* **Strike off the Clauses and words not applicable.**

Place _____ ,

Date _____ ,

Signature of Applicant.

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FORM ' B '
[See Clause - 6]
The Meghalaya Pulses, Edible Oilseeds and Edible Oils
[Licensing and Control] Order, 1979.

Licence for purchase, sale or storage of Pulses, Edible Oilseeds and Edible Oil for sale.

Licence No. ::

01.	Subject to the Provisions of the Meghalaya Pulses, Edible Oilseeds and Edible Oils (Licensing and Control) Order, 1979, and to the terms and conditions of this Licence _____, is / are hereby authorised to purchase, sell or store Pulses, Edible Oilseeds and Edible Oils for sale.		::	
02.	The Licensee shall carry on the aforesaid business at the following Place (s). _____.		::	
03.	(i)	The Licensee shall maintain a Register of Daily Accounts for Pulses, Edible Oilseeds and Edible Oils showing correctly :-	::	
	(a)	the Opening Stock of 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 ;	::	
(ii)	The Licensee shall complete his Accounts for each day on the day to which they relate, unless prevented by reasonable cause the burden of proving of which shall be upon him.		::	
(iii)	Separate Registers shall be maintained for each variety.		::	
04.	The Licensee shall issue to every Customer a correct receipt or invoice, as the case may be, giving his own Name, Address, and Licence Number, the Name, Address, the Licence Number (if any) the Customer, the Date of transaction, the quantity sold , the price per quintal / Kilogram 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 other Officer Authorised by him in this behalf.		::	
05.	The Licensee shall give all facilities at all reasonable times to the Licensing Authority or any Officer Authorised by the State Govt. 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 Pulses, Edible Oilseeds and Edible Oils and for the taking of samples of Pulses, Edible Oilseeds and Edible Oils for examination,.		::	
06.	The Licensee shall comply with any direction that may be given to him by the State Govt. of the Licensing Authority in regard to purchase, Sale or Storage for sale of Pulses, Edible Oilseeds and Edible Oils and in regard to the language in which the Register, Returns, Receipts or invoices mentioned in Paragraphs 3, 4 or 5 shall be written and the authentication and maintenance of the Register mentioned in Paragraph - 3.		::	
07.	The Licence shall be attached to any application for Renewal.		::	
08.	This Licence shall be valid upto , _____ 20 _____.		::	

Place _____ ,

Date _____ day of _____ .

Signature of the Officer
issuing the Licensing

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FORM ' C '
[See Condition - 10 (ii)]
The Meghalaya Pulses, Edible Oilseeds and Edible Oils
[Licensing and Control] Order, 1979.

For use by a Dealer.

Returns of stocks, receipts and sales of Pulses, Edible Oilseeds and Edible Oils for the fortnight ending _____ 20 .

Name --
 Number of Licence --
 Address --

Particulars of Godown where stock held and quantity in stock in each quality of Pulses, Edible Oilseeds and Edible Oils in stock in _____
 Tins / Quintals / Kilograms.

	Particulars of Godowns	Quantity in stock Tins / Quintals / Kilograms	Remarks, if any
1.			
2.			
3.			
1.	Stock at the beginning of the fortnight.		
	(a) actually with the Licensee _____	Tins / Quintals / Kilograms.	
	(b) pledged with any Persons or Institution such as a Bank or Co - Operative Society _____	Tins / Quintals / Kilograms.	
2.	Quantity purchased during the fortnight.		
	Name of Factory from which purchased.	Quantity (in Tins / Quintals / Kilograms)	
	(i)		
	(ii)		
	(iii)		
	(iv)		
	<i>TOTAL</i>		
3.	Quantity received out of quantity purchased :-		
	From (Name of Factory / Wholesaler)	Quantity (in Tins / Quintals / Kilograms)	Date of Purchase
	(i)		
	(ii)		
	(iii)		
	(iv)		
	<i>TOTAL</i>		
4.	Quantity sold :-		
	(a) Quantity sold / and delivered / removed during the fortnight _____	Tins / Quintals / Kilograms.	
	(b) Quantity sold but not yet delivered _____		
	Total sold _____	Tins / Quintals / Kilograms.	
5.	Stock at the end of the fortnight.		
	(a) actually with the Licensee.		
	(i) unsold _____		
	(ii) sold but awaiting delivery _____		
	(b) pledged with any other Persons or Institution such as a Bank or Co - Operative Society _____	Tins / Quintals / Kilograms.	
	Total _____		

1. Licensing Authority

Place _____,
 Dated, Shillong, the _____ 20 .

District

Signature.

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