



ANNEXURE-I

The Essential Commodities Act, 1955.

Act No.10 of 1955.

The Essential Commodities Act, 1955 is a Central Act. It gives powers to control production, supply, distribution etc. of commodities for maintaining or increasing supplies and for securing **their equitable distribution and availability at fair prices.**

Under this Act, a number of Control Orders have been issued by the Govt. of India and State Governments for regulating production, distribution, quality aspects, movement etc. pertaining to the commodities such as food grains, edible oils, pulses, kerosene, sugar etc. which are essential and administered by them. The Central Government monitors the action taken by the State Governments to implement the Act.

The control Orders issued under this Act provide for action - (1) to confiscate the stock seized; 2) to suspend/cancel licences, if any and 3) impose punishments like imprisonment.

Definitions:

The classes of commodities declared as "essential commodities" are defined broadly. They are:

(a)"essential commodity" means any of the following classes of commodities :-

(i) cattle fodder, including oilcakes and other concentrates

(ii) coal including coke and other derivatives;

(iii) component parts and accessories of automobiles;

(iv) cotton and woollen textiles;

(iva) drugs;

Explanation.—In this sub-clause, "drugs" has the meaning assigned to it in clause

(b) of section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940)

(v) foodstuffs, including edible oilseeds and oils;

(vi) iron and steel, including manufactured products of iron and steel;

(vii) paper, including newsprint, paperboard and straw board;

(viii) petroleum and petroleum products;

(ix) raw cotton, whether ginned or unginned, and cotton seed;

(x) raw jute;

The Central Government, under section 3, State Govt., / Central Govt., will issue orders for maintaining or increasing supplies of any essential commodities or for securing their equitable distribution and availability at fair prices, issue orders for regulating or production, supply and distribution thereof.

Delegation of powers:

Under Section 5, the Central Government may, by notified order delegate powers to Officers and authorities of the Central Government or subordinate to the State Government.

Section 6A provides for confiscation of the essential commodity or any property like package, animal, vehicle, vessel or other conveyance by the Collector/Joint Collector.

Before passing an order of confiscation of the stocks, packages, vehicles, vessels, animals etc. by the Collector/Joint Collector a notice under Section 6B should be issued to the party from whom stocks have been seized and he should be given an opportunity for making his representation in writing. He should also be afforded an opportunity of being heard in person or through his counsel.

No order of confiscation of the vehicle or animal vessel etc., shall be passed if the owner or his agent proves to the satisfaction of the Collector/Joint Collector that the vehicle, vessel, animal etc had been used without their knowledge or connivance.

In respect of animal, vehicle or other conveyance shall be given the to pay in view of its confiscation, a fine not exceeding the market price at the date of seizure of the essential commodity sought to be carried by such animal, vehicle, vessel etc.

Appeal against orders of confiscation by the party aggrieved by the Order lies to the judicial authority viz. the District & Sessions Courts authorized by the State Government within 30 days from the date of communication to him.

Order of confiscation shall not prevent infliction of punishment to which the person affected is liable under the Act.

Penalties:

If any person contravenes any order made under Section 3, he shall be punishable

1. With imprisonment upto one year and fine for contraventions pertaining to violations in respect of information or statistics maintenance and production of books and accounts and records of their business for inspection

2. With imprisonment not less than three months but extend upto seven years and fine. However, for a

punishment less than three months the court may mention adequate and special reasons in the judgment.

3. Any property in respect of which order have been contravened shall be forfeited. Any packing covering or receptacle in which the property was found or the animal, vehicle, vessel or other conveyance used for carrying the commodity shall be forfeited. If any person contravening the direction given by the authorized controller for complying the undertaking or any part of such undertaking regarding the production and supply of the commodity shall be liable for imprisonment with not less than three months but which may extend up to seven years and fine.

If a person is convicted for an offence again under the same provision, he shall be punishable with imprisonment for the second and for every subsequent offence for a term of not less than six months and extend up to 7 years and fine. However, for a punishment less than six months, the court may mention adequate and special reasons in the judgment.

If a person is liable to pay any amount in pursuance of an order issued under Section 3 of the EC Act, it shall be recoverable as arrears of land revenue or as a public demand.

Any person who attempts to contravene the order made under Section 3 of the EC Act is deemed to have contravened that Order.

Offences to be cognizable and bailable:

All the offences are cognizable and bailable.

The list of commodities under the Essential Commodities Act, 1955.

Declared under Clause (a) of Section 2 of the Act

1. Cattle fodder, including oilcakes and other concentrates.
2. Coal, including coke and other derivatives.
3. Component parts and accessories of automobiles.
4. Cotton and woolen textiles.
5. Drugs.
6. Foodstuffs, including edible oilseeds and Oils.
7. Iron and Steel, including manufactured products of Iron & Steel.
8. Paper, including newsprint, paperboard and strawboard.
9. Petroleum and Petroleum products.
10. Raw Cotton, either ginned or unginned and cotton seeds.

11. Raw Jute.

Declared under sub-clause (xi) of clause (a) of Section 2 of the Act

12. Jute textiles.

13. Fertilizers, whether inorganic, organic or mixed.

14. Yarn made wholly from cotton.

15. i) seeds of food crops and seeds of fruits and vegetables,

ii) seeds of cattle fodder and

iii) jute seeds.

THE PREVENTION OF BLACKMARKETING AND MAINTENANCE SUPPLIES OF ESSENTIAL COMMODITIES ACT, 1980

In order to prevent unethical trade practices like hoarding and blackmarketing etc., the Prevention of Blackmarketing of Supplies of Essential Commodities, Act, 1980 is implemented by the State Governments to detain persons whose activities are found to be prejudicial to the maintenance of supplies of commodities essential to the community.

THE CONSUMER PROTECTION ACT, 1986

The Act is for providing better protection of the interests of consumers and establishment of Consumer Councils, District Consumer Fora, State Commission and National Commission for redressal of the grievances of the consumers.

Under this Act, the Consumers can file before the District Forums, State Commission and the National Commission against unfair and restrictive trade practices of the traders, manufactures etc., for the redressal of grievance.

District Forum entertains complaints where the value of goods/services and the compensation does not exceed Rs.20 lakhs. The State Commission entertains complaints where the value of goods/services and the compensation exceeds Rs.20 lakhs but does not exceed Rs.1 crore. The National Commission entertains complaints in respect of compensation exceeding Rs.1 crore.

Consumer Protection Councils:

Under the Act, the Consumer Protection Councils at the National State and District level have been constituted.

Procedure for filing the cases and order of disposal:**District Forum**

The complaint has to be instituted by District Forum within the local limits of its jurisdiction.

The State Commission besides entertaining complaints where the value of goods or services and compensation exceeds Rs.20 lakhs and below Rs.1 crore, entertains appeals against the orders of the District forum and calls for the records and passes appropriate orders. The other provisions applicable to District forum apply with modifications if any, ordered from time to time, in disposal of disputes by the State Commission.

The National Commission besides, entertaining complaints where the value of goods or services and compensation exceeds more than Rs.1 crore, entertains appeals against the orders of the State Commission and calls for the records and passes appropriate orders.

Enforcement of the Orders of the District Consumer Fora/State Commission/National Commission:

Every order made by the District Forum, State Commission or the National Commission has to be enforced by the District Forum, State Commission or National Commission as if it was a decree or order of the Court in a suit pending in case of inability to execute this order by this Forum or Commission such order may be sent to the Court with in its jurisdiction for execution.

If the interim order made under the Act is not complied with, the District forum or the State Commission or the National Commission as the case may be, may order attachment of the property of the person who has not complied with such order.

If the complaint is found to be frivolous or vexatious, the same will be dismissed duly recording the reasons and the complainant shall be required to pay Rs.10,000 to the opposite party.

Punishment for non-enforcement orders:

For non-compliance of the order of the District Forum, State Commission or National Commission, the person concerned shall be punishable with imprisonment of not less than one month which may extend three years or with fine which shall not be less than Rs.2000 but extend upto Rs.10,000 or with both.

The Consumer Protection Rules, 1987

(Central Order)

Composition and functions of the Consumer Protection Council:

The composition of the Consumer Protection Council (not exceeding 150) viz

- the Minister in charge of Consumer Affairs in the Central Government - Chairman

Members:

- **the Minister of State (where he is not holding independent charge) or Deputy Minister in charge of Consumer Affairs in the Central Government who shall be the Vice Chairman of the Central Council**
- **the Minister in charge of Consumer Affairs in States**
- **eight Members of Parliament five from the Lok Sabha and three from the Rajya Sabha**
- **the Secretary of the National Commission for Scheduled Castes and Scheduled Tribes**
- **representatives of the Central Government Departments and autonomous organizations concerned with consumer interests – not exceeding twenty**
- **the Registrar, National Consumer Disputes Redressal Commission**
- **representatives of the Consumer Organisations or consumers – not less than thirty five**
- **representatives of women not less than ten**
- **representatives of farmers, trade and industries not exceeding twenty**
- **persons capable of representing consumer interest not specified above not exceeding fifteen**
- **the Secretary in charge of Consumer Affairs in the Central Government - Member-Secretary**

The term of the Council shall be three years.

For the purpose of monitoring the implementation of the Council and to suggest the working of the council, the Central Government may constitute a working group from among the members of the council. The Member-Secretary will be the Chairman of the working group. The working group may consist not more than forty members and meet as and when necessary by the Central Government.

Fee for making complaints before District Forum:

The following fee has to be paid by the complainant along with the complaint in the form of crossed demand draft on the nationalized bank or through a crossed Indian Postal Order drawn in favour of the Registrar of the State Commission concerned. The concerned District Forum shall deposit the fee in the State Government receipt account:

TABLE

Sl.No.	Total value of goods or services and the compensation claimed	Amount of fee payable
(1)	(2)	(3)
	District Forum	
1	Upto one lakh Rupees – For complainants who are under the Below Poverty Line holding Antyodaya Anna Yojana cards	Nil
2	Upto one lakh Rupees – For complainants other than Antyodaya Anna Yojana cardholders	Rs.100
3	Above one lakh and upto five lakh Rupees	Rs.200
4	Above five lakh and upto ten lakh Rupees	Rs.400
5	Above ten lakh and upto twenty lakh Rupees	Rs.500
	State Commission	
6	Above twenty lakh and upto fifty lakh Rupees	Rs.2000
7	Above fifty lakh and upto one crore rupees	Rs.4000
	National Commission	
8	Above one crore Rupees	Rs.5000

(3) The complainants who are under the Below Poverty Line shall be entitled for the exemption of payment of fee only on production of an attested copy of Antyodaya Anna Yojana cards

When an order is passed by the National Commission directing the opposite party to pay the amount determined by it on account of loss or injury suffered in goods complaint against or alleged deficiency of service to a large number of consumers who are not identifiable conveniently, such sum shall be credited by the National Commission in the Consumer Welfare Fund, which will be utilized in accordance with the provisions of the Consumer Welfare Fund Rules.

Consumer Welfare Fund:

The Consumer Welfare Fund Rules were issued by the Government of India vide GSR No.895 (E), dated 25.11.1992 and amended from time to time. The Consumer Welfare fund means the fund established by the Central Government under Sub Section 1 of Section 12 (c) of the Central Excise and Salt Act, 1944 (hereinafter called "Act"). Duty means the duty paid under the Act. Proper Officer means the Officer having the power under the Act to make an order that the whole or part of the duty is refundable.

Standard mark has the same meaning as assigned to in it (clause (t) of section 2 of the BIS).

Welfare of the consumers includes promotion and protection of rights of consumers.

The Consumer Welfare Fund is established with the Central Government into which credits of amounts of duty and income from investment along with other monies specified in sub section 2 of section 12 (c) of the Act shall be accredited.

The Standing Committee to make recommendations for proper utilization of the money credited to the Consumer Welfare fund for the welfare of the consumers, to carry out the purposes of these rules. The Committee consists of:

Secretary. Department of Consumer Affairs 9; Chairman

Secretary, Department of Expenditure in the Miny.of

Finance or a financial adviser, Dept.of Consumer

Affairs, GOI Vice Chairman

Chairman, Central Board of Excise and Customs or an

Officer not below the rank of a Joint Secretary in the Dept.of

Revenue of Ministry of Finance ; Member

Member of the Central Board of Excise and Customs or an

Officer not below the rank of a Joint Secretary in the Dept.of

Revenue of Ministry of Finance ; Member

Secretary/Joint Secretary/Economic Advisor (Monitoring)

Department of Rural Development ; Member

Director General, Bureau of Indian Standards 9; 9; 9; 9; Member

Additional Secretary or Joint Secretary incharge of Member Secretary Consumer Welfare Fund, Dept. of Consumer Affairs

The application for release from Consumer Welfare Fund has to be attested by the Gazetted Officer of the Central/State Government as the prescribed Form A1.

Constitution of the Central Consumer Protection Council

A.P.State Consumer Welfare Fund:

Government of Andhra Pradesh with a view to create awareness on consumer rights from village level to State level for the benefit of common man and to strengthen the consumer movement and consumer awareness created, the Andhra

Pradesh State consumer Welfare Fund by mobilizing the resources as follows:**10% of the amount from the Coupon Funds (Rice/Kerosene coupons)****10% from out of the budget allocated under Consumer Awareness Fund****contributions from the PSU Oil companies (HPCL, IOC, BPC, IBP) / other PSUs****contribution from Rice Millers****contribution from NGOs****contribution from Private Industries****public contribution of Rs.53.27 lakhs available under PD Account No.2/421 of CA, F & CS Department****unclaimed refunds of the security deposits made by the dealers in food grains, edible oils, sugar, petroleum products under the provisions of various licensing/control orders****the funds received from the Government of India as one time grant****to deposits of application fee for filing complaints in consumers forums****any other source to be notified by the Government****THE ANDHRA PRADESH STATE****CONSUMER WELFARE FUND SCHEME, 2005.****Application of the Scheme:**

The scheme applies to any institution, agency and consumer voluntary organisations(CVO) registered with the Department of Consumer Affairs, Government of Andhra Pradesh and to existing consumer voluntary organizations which have not availed financial assistance from the Central Government under the scheme of the Central Consumer Welfare Fund Rules, 1992.

Any applicant registered and running Consumer Voluntary Organisation / Institutions / Agencies for at least three years shall utilize the money sanctioned under this scheme, to pursue any or all the objectives, hereinafter mentioned, namely:-

organizing consumer awareness programmes:-

such programmes, as far as practicable, shall be conducted at the village, mandal, sub-division and district levels duly involving the Gram Panchayats / Local bodies / Units of the concerned area wherever these are conducted.

Preparation of publicity materials:-

i. The applicant shall prepare publicity materials like pamphlets, hand-outs, posters, booklets etc in simple local language duly giving all material information which common people may easily understand; and

ii. It shall be mandatory for any applicant to get such publicity materials shown, vetted and approved from the Board constituted under paragraph 6 thereof.

Dissemination of information and messages of the consumer protection Section 6 (f) of the Act guarantees right of education to consumers. The applicants shall make all concerted efforts to disseminate information to the consumers through all available media so that the process of consumer awakening is at faster pace.

Filing of complaints on behalf of ignorant illiterate and helpless consumers:

Majority of the rural people and some of the urban poor people of the State have no knowledge about the existence of the Consumer Disputes Redressal Agencies which are dispensing swift, expeditious and inexpensive justice to aggrieved consumers. Consequently, very few cases are being filed in these Consumer Disputes Redressal Agencies; and

The applicants shall identify the consumers who need help in filing consumer complaints in the appropriate forum and if need be the applicants can themselves file and contest cases on behalf of such ignorant, illiterate and helpless consumers. Section 12 (b) of the Act has empowered the Consumer Voluntary Organisations to file consumer complaints on behalf of those consumers who are unable to do so.

The financial assistance granted under this scheme shall be utilized for promotional activities aimed to generate consumer awareness, accelerating the pace of consumer welfare activities and to popularize the functioning of the Consumer Disputes Redressal Agencies and for purpose which are directly linked or are incidental to give momentum to the Consumer Movement in the State.

Financial assistance:

The registered consumer voluntary organizations, consumer activists, institutions working for consumer welfare activities are eligible for grant of expenditure from the consumer welfare fund as indicated below:

- a) Expenses towards training up to 75% (recurring only)**
- b) Conduct of work shops / seminars up to 75% expenditure (recurring only)**
- c) Cost of publicity material by various organizations up to 50% (recurring only)**
- d) Redressal of consumer grievances – 90% expenditure (recurring only)**
- e) Research / Analysis (testing labs) 90% (non recurring)**

The amount shall not be used for construction of buildings and purchase of vehicles.

Terms and conditions of the financial assistance:

the fund should not be used for any party or political propaganda

quarterly progress reports of the implementation of the programme / project should be submitted to the Department of Consumer Affairs, Food & Civil Supplies, Government of Andhra Pradesh, Hyderabad regularly

the organization should maintain a record of all the assets acquired wholly or substantially out of the financial assistance given from the Andhra Pradesh State

Consumer Welfare fund. Such assets shall not be disposed off, encumbered or utilized for the purposes other than those for which the assistance was given without prior sanction of the Government of Andhra Pradesh. In case the organization ceases to exist any time, such assets will revert to the Government of Andhra Pradesh.

Constitution of Board of Trustees:

Commissioner of Civil Supplies & E.O.Secretary Chairman

to Govt., CA, F & CS Dept

Secretary to Govt., Finance Dept Member

Commissioner of School Education Member

Commissioner of Commercial Taxes Member

Commissioner, Transport Dept Member

Commissioner, Panchayat Raj Dept Member

Director, Women Development & Child Welfare Dept Member

Director, Municipal Administration Dept Member

Member Secretary, A.P.Pollution Control Board Member

One of the President of the 25 District Fora to be Member

nominated by the President of the State Commission

One NGO nominated by Chairman Member

Director of Civil Supplies & E.O.Spl./Addl./Joint Member & ; Secy to Govt., CA, F & CS Dept Convener

The Chairman of the Board of Trustees shall sanction the financial assistance to the applicant after full scrutiny of the applications and documents submitted and screened by the Board of Trustees as provided under the procedure of conduct of business.

The Motor Spirit and High speed Diesel (Regulation of supply and Distribution and Prevention of Malpractices) Order, 1998.

This Order has been issued with a view to regulate supply and distribution of motor spirit (petrol) and high speed diesel and prevent malpractices like adulteration, pilferage, stock variation, unauthorized exchange, unauthorized purchase, unauthorized sale, unauthorized possession, over charging and sale of off-specification product.

Definitions:

Dealer is defined as a person appointed by an Oil Company to purchase, receive,

store and sell motor spirit and high speed diesel oil whether or not in conjunction with any other business, and shall include his representatives, employees or agents.

(Clause 2)

Restriction on sale of product:

The dealers or persons shall not sell any petroleum products or its mixture other than petrol or HSD in any form under any name, brand name or nomenclature for use or to be used as fuel in spark ignition engines or compression ignition engines.

The dealer, transporter, consumer or any other persons shall not indulge in any malpractices like adulteration, pilferage, stock variation, unauthorized exchange, unauthorized purchase, unauthorized sale, unauthorized possession, over charging and sale of off-specification product.

(Clause 3)

Powers for enter, search and seize:

Officers not below the rank of ASO/AGPO of C.S.Department, MRO, All Officers not below the rank of Deputy Superintendent of Police of Vigilance and Enforcement of General Administration Department, D.Is. of Legal Metrology, Sales Officers of Oil Company and any other Gazetted Officer of Civil Supplies Department, Revenue as authorized by Commissioner of Civil Supplies, Director General, Vigilance and Enforcement, Controller Legal Metrology, C.R.O. for Hyderabad and Secunderabad/Collectors/Joint Collectors in the districts are authorized to enter, search, seize the premises, vehicle, receptacle used/to be used for transporting product, inspect books of accounts, take samples, seize the stocks and books of accounts, under the written record indicating the reasons for doing so with a copy to be given to the dealer, transporter, consumer or any other concerned person.

The provisions of section 100 of Code of Criminal .Procedure shall apply in respect of searches and seizures. (Clause 4)

Procedure for taking and sending samples to Laboratory:

Authorized Officer shall draw the sample from the tank etc to check whether density and/or other parameters of the product conform to the requirements indicated in Schedule-I. Six samples of one litre each of petrol and three samples one litre each of HSD should be taken, two samples of M.S. (petrol) and one samples of HSD should be given to the dealer/transporter/consumer concerned under acknowledgement for preserving in the safe custody till the testing or investigation are completed. Two samples of petrol and one sample of HSD to be retained by the Oil Company/Department and the remaining two samples of petrol/one sample of HSD to be sent to laboratory for analysis.

Samples should be taken in clean glass or alluminum containers (instructions were issued for taking samples in amber colour bottles). Plastic containers should not be used for drawing samples.

The Kerosene (Restriction on Use and Fixation of Ceiling Price)

Order, 1993

This Order is issued with a view to restrict the use of Kerosene and fixation of ceiling prices.

Dealer is a person, firm, association of persons, company etc approved by Government Oil Company or Central or State Government or a Parallel Marketeer and engaged in the business of buying and selling kerosene.

No person shall use kerosene supplied under PDS for purposes other than cooking and illumination. In case it is required for other purposes permission from Central or State Government is required indicating the purpose.

Dealers/transporters shall not sell, distribute or supply kerosene under PDS to any person other than the person to whom supplies are meant for.

The parallel marketed kerosene shall not be sold or used as fuel or as additive to the fuel in a motor vehicle.

No person other than the dealer or Government Oil Company or parallel marketeer shall sell kerosene to any person.

No dealer under PDS shall refuse to sell, distribute or supply kerosene to any consumer on any working day during the working hours. He shall not keep his business premises close during working hours or on any working day without prior permission of the Government or the Government Oil Company. He shall not sell or distribute or supply kerosene at a price higher than that fixed by the Government or Government Oil Company.

The dealer under PDS shall take all reasonable steps to ensure adequate stocks of kerosene are available at the business premises including the place of storage at all times.

The dealer under PDS shall display stock and price board showing the opening stock, quantity received during the day, quantity sold, delivered or otherwise disposed of during the day, closing stock of the day and such other particulars as the Government in writing specify, at a conspicuous place of business and storage point.

Every dealer under PDS shall maintain proper accounts of daily purchase, sale and storage of kerosene at the business premises indicating therein the opening stock, quantity received during the day, quantity sold, delivered or otherwise disposed of during the day, closing stock of the day and such other particulars as the Government in writing specify. (Clause 6)

The parallel marketer in kerosene shall submit a monthly return before 15th of following month giving details of kerosene imported port-wise to the Central Government in MoPNG. He shall also furnish any information specified by the MoPNG or any authority. He shall file end user certificate from the industrial users to whom kerosene was sold customer-wise to the State Civil Supplies authorities on a quarterly basis. He shall ensure quality checks and see that kerosene meets the specification No.IS-1459.

No parallel marketeer shall commence the activity of business without a rating certificate for his capability, infrastructure net work and readiness to carryout the business and deliver goods and services promised. It is not necessary if the parallel marketeer is carrying a business as an agent of another parallel marketeer. The details of rating certificate are given in 7A(b) and 2 to 6.

Kerosene supplied through PDS shall be made distinguishable from the kerosene operated by the parallel marketers. (PDS kerosene is supplied in blue colour while

parallel marketed kerosene is in white)

Powers for entry, search and seizure:

a) #9; An Officer of the Department of Food and Civil Supplies of the Government not below the rank of an Inspector authorized by such Government and notified by the Central Government or any officer authorized and notified by the Central Government, or any Officer not below the rank of a Sales Officer of a Government Oil Company authorized by the Government and notified by the Central Government (All Officers of the Revenue Department not below the rank of Deputy Tahsildar, All Police Officers not below the rank of Inspectors, All officers of Vigilance Cell of Civil Supplies Department not below the rank of Inspector) may, with a view to ensuring compliance with the provisions of this Order, with such assistance as may be required, for the purpose of satisfying himself that this Order or any order made thereunder has been complied with:-

stop and search any vessel or vehicle or any other conveyance which the Officer has reason to believe, has been, or is being, or is about to be used in contravention of this Order.

Enter or search any place with such aid or assistance, as may be necessary; and

Seize and remove with such aid or assistance, as may be necessary books, registers and other records pertaining to kerosene business, along with vehicle, vessel or any other conveyance used for carrying such stock, if he has reason to believe that any provision of this Order has been or is being or is about to be contravened and thereafter take or authorize the taking of all measures necessary for securing the production of the kerosene at the Office of the government Oil Company and the vehicle, vessel or other conveyance so seized before the Collector having jurisdiction under the provisions of Essential Commodities Act, 1955 (10 of 1955), for their safe custody pending such procedures.

The parallel marketers are not required to take any licence under the A.P. Petroleum Products (Licensing & Regulation of Supplies) Order, 1980, but have to :-

Obtain explosive license

Exhibit price and stock board at business premises

Furnish returns to the District Administration and Commissioner of Civil Supplies for information and record

Allow verification of stock and sale accounts to be conducted by the Civil Supplies authorities of the District/State Government as and when required to avoid deterioration of white kerosene with petrol and diesel etc.

Adhere to the directions issued regarding sale of storage of white kerosene

Inform the appointment of dealers/sub-dealers from time to time along with the details of area of operation and amount of security money deposited by the dealers/sub-dealers regularly to the District supply Officers/Commissioner of Civil Supplies.

Obtain rating certificate

The Value Added Tax on parallel marketed kerosene is 12.5% whereas it is 4% on PDS kerosene.

The Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000.

This Order has been issued with a view to regulate the supply and distribution of L.P.Gas handled by both Oil companies and parallel marketeers.

A person having a connection for LPG under PDS shall not

possess more than one connection granted under the PDS unless more than one connection is sanctioned by the Central Government or the CEO of a Government Oil Company keeping in view the difficulty and hardship experienced by such person in obtaining supplies of LPG.

possess or use LPG in cylinder or bulk unless it is supplied by the Oil Company or a Distributor authorized by the Company

use LPG for purpose other than for which it is registered with the distributor of the Company. Central Government may through a general or special order may permit the use for any other purpose.

Restriction on storage / supply of LPG :

Distributor of a Government Oil Company shall not supply LPG filled in cylinder to any person unless he has been registered or granted a connection of LPG under PDS and holds a valid authorization from the Oil Company. The supply shall be made in 14.2 kgs for domestic / 19 kgs non-domestic consumers by Oil Companies.

The distributors either of Government Oil company or Parallel Markteer shall not commit or cause to commit any of the activities prohibited under the Order.

No person shall fill any cylinder with LPG or transfer LPG from one cylinder to cylinder unless authorized by Chief Controller of Explosives.

Cylinder filled with LPG shall be transported or stored in an upright position. The cylinder filled with LPG should be stored in a cool, dry, well ventilated and accessible place under cover away from boilers, open flames, steam pipes etc. The seal should not be removed prior to the use of cylinder unless it is opened by the delivery person for testing, checking or installation of the cylinder. The cylinder, pressure regulator, gas cylinder valve should be as per the specifications. The transporter or delivery person shall not deliver LPG either in a cylinder or in bulk to any person other than the consumer of a distributor.

Either the Government Oil company, distributor or parallel marketer shall not sell to a consumer LPG in cylinders which contains less than or in excess of weight of LPG specified on the cylinder.

No person other than a Government Oil Company, a Parallel Marketeer or a distributor shall be engaged in the business of LPG to the consumers.

No person shall supply the equipments to any person other than those supplied by the Oil Company or Parallel Marketeer.

If authorized by a Government Oil Company or a parallel marketer, he can supply to any person other than a consumer. He shall not possess the equipment unless he is a distributor or a consumer. The equipments which do not conform to the specifications shall be destroyed by crushing them.

Display and stock and price board:

The distributor shall prominently display the stock and price at a conspicuous place of business premises including storage point showing the OB of filled, empty and defective regulators and the back log of preceding working day of the filled cylinders to be supplied.

Distributors not to refuse sale:

Distributors shall not refuse to sell LPG on any working day during the working hours to the consumers registered with him unless directed by the Government Oil Company or a parallel marketer. Distributors shall not keep the business premises including storage point close during working hours without prior written permission of the Government Oil company or the parallel marketer. The distributor has to take steps to ensure availability of LPG at all times. He shall not sell at price higher than that fixed. He shall not refuse to make home delivery at the address of the consumer. The State Government may fix additional charges for home delivery of LPG provided it is beyond the free delivery zone of the dealer. The distributor shall display the working hours prominently at the place of business including the place of storage at a conspicuous place.

Parallel Marketeers not to commence activities without rating certificate:

Parallel marketeers shall not commence the activities without obtaining the rating certificate in schedule-V from the agency shown in Schedule-IV for his capability, infrastructure net work and readiness to carry out professed business etc and forwarding letter (Schedule -VI). The other details which the rating certificate should contain, the fee to be paid, rating grades etc. are given in Clause 11. #9; #9; #9; #9; (Clause 11)

Powers for entry, search and seizure:

Following are the authorized Officers delegated with powers stopping of vehicles, entry, search the vehicles and vessels, enter any premises and seizure the stock and securing the compliance of the Order:-

- a. All Officers of Revenue or Civil Supplies Department of the State Government not below the rank of Deputy Tahsildar**
- b. All Police Officers not below the rank of Inspectors**
- c. All Officers of Vigilance Cell of Civil Supplies Department not below the rank of Inspector**
- d. Any Officer of a Government Oil Company not below the rank of Sales Officer operating in Andhra Pradesh State.**
- e. #9; Any official of Civil Supplies Department / Revenue Department of the State Government specifically authorized by the Collector/Chief Rationing Officer, Hyderabad or Director, Civil Supplies / Commissioner, Civil Supplies / Additional Director General of Police / Superintendent of Police, Vigilance Cell, Civil Supplies Department, Hyderabad.**

The sales Officer of a Government Oil Company shall authorize to secure compliance of this order by the distributor appointed under the PDS or by the consumer registered by them. (Clause 13)

The Liquefied Petroleum Gas (Regulation of Use in Motor Vehicles) Order, 2001.

This Order has been issued by Government of India with a view to regulating the use of LPG in Motor Vehicles.

Restriction on unauthorized acquisition or sale of auto LPG:

Auto LPG shall not be acquired, sold, stored for sale etc., under provisions of the Order. Auto LPG dispensing station dealer only shall do this activity. Purchase or use of auto LPG is permitted in a Motor vehicle if it is fitted with the auto LPG permanently fitted and a conversion kit. Auto LPG station dealer or his agent shall not fill the auto LPG tank permanently fitted in the motor vehicles in excess of 8% of its total volumetric capacity and also not in a conversion/OEM dual fuel kit which is not approved by the authorities/testing agencies notified in the Central Motor Vehicles Rules, 2001 and they shall not dispense auto LPG unless received from Government Oil Companies/Parallel Marketeers and conforming to auto LPG specification – IS specification No. IS 14861. (Clause 3)

Display of stock and price board:

The LPG dispensing station dealer shall display the stock and selling price of auto LPG at a conspicuous place of auto LPG dispensing station.

(Clause 4).

Every auto LPG dispensing station dealer shall procure or purchase auto LPG from the Government Oil Company or a Parallel Marketeer; shall display the working hours; shall not refuse to sell auto LPG on any working day during working hours to a consumer; shall not keep the premises closed without prior written permission from the Oil Company; shall take steps to ensure adequate availability at all times; and shall not sell auto LPG at a price higher than that fixed by Government Oil Company or a Parallel Marketeer. #9; #9; #9; #9; #9; #9;

Restriction on commencement of activities without obtaining low risk rating certificate:

Parallel Marketeer shall not commence any activity such as import, transport, marketing, distributing etc with out obtaining a minimum of low risk rating certificate, on the basis of evaluation and rating for his capability, infrastructure net work and readiness to carry out, professed business and delivery of goods and services promised by him by an agency.

Powers of entry, search and seizure:

Under this Order, Officers not below the rank of Deputy Tahsildars of Revenue/Civil Supplies Department; Assistant Motor Vehicle Inspectors of Transport Department; Inspectors of Police; Inspectors of Vigilance and Enforcement; any Gazetted Officer of Civil Supplies Department/Revenue Department authorized by Collector/Chief

Rationing Officer, Hyderabad / Director of Civil Supplies/Commissioner of Civil Supplies/Director General Vigilance and Enforcement, General Administration Department and District Inspectors of Legal Metrology Department.

The Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobiles) Order, 2000.

This Order has been issued with a view to prohibit requisition, sale, storage and prevention of use of Solvent (volatile fractions derived either directly or indirectly from petroleum or coal – can be single, hydrocarbon components like propane, benzene, toluene, xylene – narrow or wide boiling ranges of hydrocarbon), Raffinate (a lean solvent stream in liquid extraction process where solvent is used to separate two components in hydrocarbon mixture. Solvents which require licence are – SBP Spirits/SBP solvents, C-9 Solvents/raffinates, C 6 raffinates, Pentane, Cixon, Solvent 90, Hexane, Resol, NGL, MTO, Aromex, Iomex, Furnace Oil (FO) and Light Diesel Oil (LDO)) and Slop (unfinished product stream generated in any industry during un stabilised period of plant operation) in automobiles viz., vehicles whose fuel is Motor Spirit (Petrol) (MS), High Speed Diesel (HSD), Liquefied Petroleum Gas (LPG) or Compressed Natural Gas (CNG) registered with RTA.

Every person shall have a licence issued by the State Government or the District Magistrate or any other Officer authorized by the Central or the State Government to acquire, store or sell or trading, either use or help in any manner the use of solvents, raffinates, slops or their equivalent and other product.

Use or help in any manner the use of solvents, raffinates, slops or their equivalent or other product except Motor Spirit or HSD in any auto mobile by any person is prohibited (however for research purpose on automobiles this is permitted).

Filing of end use certificate from the consumers:

The person engaged in the sale or trading of solvents etc., either imported or indigenous shall file end use certificates from consumers to the District Magistrate or the State Civil Supplies authorities on quarterly basis.

The person who is using solvents etc., either imported or indigenous shall file end use certificates from consumers to the District Magistrate or the State Civil Supplies authorities on quarterly basis.

Powers of entry, search and seizure:

To secure compliance of the provisions of this Order, and to satisfy himself that this Order or the Order made under this Order has been complied with, the authorized official (Gazetted Officer) may -

enter and search any place or premises being used or suspected to be used in the business of the dealer, transporter, consumer or the agent with respect to which, the provisions of the Order have been or about to be contravened;

stop and search any person or vehicle or receptacle used or intended to be used for the movement of the product or using or receiving of the product;

inspect any book of accounts or other documents or any stock of the product are used or suspected to be used in the business of the dealer, transporter, consumer or the agent with respect to which, the provisions of the Order have been or about

to be contravened;

take samples of the product and seize any stocks of the product which the Officer reason to believe or about to be used in contravention of the Order and there after take or authorize the taking of all measures necessary for securing the production of the stocks or items seized before the Collector under the E.C.Act, 1955 and for safe custody pending such production.

While exercising the power of seizure, the authorized Officer shall record in writing, reasons for doing so and issue a copy to the dealer, transporter, consumer or any other concerned person.

Under this Order, Officers not below the rank of Assistant Supply Officer or Assistant Grain Purchasing Officer of Civil Supplies Department or Mandal Revenue Officers (Gazetted) of Revenue Department; not below the rank of Sales Officers having jurisdiction of a Oil Company; any other Gazetted Officer of Civil Supplies Departments or Revenue Department authorized by Commissioner of Civil Supplies or Director of Civil Supplies) or Director General (Vigilance and Enforcement) and Ex.Officio Prl.Secretary to Government, General Administration (Vigilance and Enforcement) Department or Chief Rationing Officer in twin cities of Hyderabad and Secunderabad and Collectors or Joint Collectors; Deputy Superintendents of Police working in (General Administration Department) of Vigilance and Enforcement are authorized to enter, search and seize the auto LPG, any books of accounts in writing indicating the reasons for doing so and also giving a copy to the dealer/parallel marketer/transporter/consumer or any other concerned person. The Sales Officer of Government Oil Company shall be authorized by the Government Oil Company. (Vigilance Cell of Civil Supplies is abolished and hence there are no officers). Provisions of Section 100 of Code of Criminal Procedure, 1973 shall also apply to searches and seizures. (Clause 4)

**The Naphtha (Acquisition, Sale, Storage and Prevention of use in Automobile)
Order, 2000.**

This Order regulates the acquisition, sale, storage and prevention of use of Naphtha in automobiles.

Automobiles or vehicles are those registered with RTA and run on MS, HSD, LPG and CNG. HSD is a hydro carbon oil (excluding mineral coals oil and turpentine substitute) meeting the requirements of IS 1460 and suitable for use as fuel in compression, ignition engines. MS is a hydro carbon oil (excluding crude mineral oil) meeting the requirements of IS 2746 and is suitable for use as fuel in spark ignition engines. Naphtha is a light hydro carbon liquid with 90% volume distillation by ASTM D-86 distillation method 190 degrees of centigrade or less.

Need to obtain licence:

Naphtha should not be acquired, stored and or sold by any person with out a license issued by the State Government or District Magistrate or any other Officer authorized by the Central or State Government. Naphtha should not be used by any person in any automobile. Naphtha should not be used for adulterate with motor spirit or high speed diesel. Every person selling or trading of naphtha for any purpose shall file the end use certificate from the consumers to whom he sells and furnish customer-wise certificates to the District Magistrate or the State Civil Supplies authorities on a quarterly basis.

Powers for entry, search and seizure:

Under this Order, Officers not below the rank of Assistant Supply Officer or Assistant Grain Purchasing Officer of Civil Supplies Department or Mandal Revenue Officers (Gazetted) of Revenue Department; not below the rank of Sales Officers having jurisdiction of a Oil Company; any other Gazetted Officer of Civil Supplies Departments or Revenue Department authorized by Commissioner of Civil Supplies or Director of Civil Supplies) or Director General (Vigilance and Enforcement) and Ex.Officio Prl.Secretary to Government, General Administration (Vigilance and Enforcement) Department or Chief Rationing Officer in twin cities of Hyderabad and Secunderabad and Collectors or Joint Collectors; Deputy Superintendents of Police working in (General Administration Department) of Vigilance and Enforcement are authorized to enter, search and seize the auto LPG, any books of accounts in writing indicating the reasons for doing so and also giving a copy to the dealer / parallel marketer/ transporter / consumer or any other concerned person. The Sales Officer of Government Oil Company shall be authorized by the Government Oil Company. Provisions of Section 100 of Code of Criminal Procedure, 1973 shall also apply to searches and seizures. #9; (Clause 4)

The Lubricating Oils and Greases (Processing, Supply and Distribution Regulation) Order, 1987.

This Order has been issued for regulating the processing, supply and distribution of lubricating oils and greases. (Though the order was issued on some dealers approaching the Court challenging the order. Interim order was issued staying the operation of the order. It is ascertained that though in one case judgment was delivered upholding the order in one case judgment is yet to be received).

Processor is a person who carries on or proposes to carry on business of manufacturing, blending, packaging, re-refining, sale or resale of lubricating oil and greases and includes a representative or agent, but does not include the Oil Company specified under the order.

Every person carrying on business of a processor has to take a license.

He shall not manufacture, blend, pack, re-refine, sell or transport for sale any lubricating oil or grease which has been adulterated.

Processor has to apply for grant or renewal of the license in Form-A and the seller or re-seller in the form prescribed with a fee of Rs.25/- for issue of licence.

Processor (other than those re-refining the product) has to declare the specifications of the lubricating oils and greases, they shall conform to such specifications.

The lubricating oil and greases which are dealt by a processor doing business of re-refining under the license issued under Sec.15 of the Bureau of Indian Standards Act, 1986) shall conform the standard mark and if re-refining is being done by other than a license under BIS Act he shall make a declaration as to specification of such lubricating oil or grease and shall conform to such specification.

For breach of terms and conditions of the license, the competent authority may, by order in writing, suspend or cancel the license and furnish the order to the

processor. However, license shall not be suspended or cancelled without affording the processor a reasonable opportunity of being heard. (Clause 6)

Appeal:

Appeal lies to the State Government against this order if filed within 30 days of receipt of order.

Powers for entry, search and seizure:

Under this Order, Officers not below the rank of an Inspector of Police as authorized by the Central Government or State Government may enter and search any place, premises, vessel or vehicle seize stocks of lubricating oils, greases and processing equipments, any package covering or receptacle in which the products are found, any animal, vehicle, vessel or other conveyance used in carrying lubricants and greases on reason of belief that it is being or about to be used for contravening the order, takes samples of the seized products and send to the laboratories indicated under this order for analysis to know the nature and extent of adulteration.

The Officers of the Vigilance Cell not below the rank of Inspector of Police are authorized to exercise these powers (since the Vigilance Cell has been abolished, these powers are exercised by the Officers of the Vigilance and Enforcement).

Section 100 of the Code of Criminal Procedure, 1973 relating to search and seizure shall so far as may be apply to search and seizures under this Order.

Directions can be given by the Central Government from time to time for compliance of this Order.

The Edible Oils Packaging (Regulation) Order, 1998.

This Order has been issued with a view to ensuring supply of edible oils in packaged form so that unadulterated edible oils are available to the consumers with correct weight and rate. The issue of the Order necessitated because of dropsy cases took place in 1998. This Order also provides for sample taking and analysis of the product suspected to be adulterated. The Order is enforced by the officials of the Food and Health Authority and the Legal Metrology under the Prevention of Food Adulteration Act, 1954 and the Standards of Weights and Measures (Packaged Commodities) Rules, 1977.

The order applies to the edible oils viz., ground nut oil, safflower oil, soyabean oil, sunflower oil and palmolien. Label means any written, marked, stamped, printed or graphic matter affixed to or appearing upon, any container containing any edible oil.

Registered packer means a person who has obtained a certificate under this Order by registering authority. The officers notified as registering authorities to exercise the powers and functions under this order, are:

Officer appointed as Registered authority	Local area
Assistant Food Controller, Zone I	Srikakulam, Visakhapatnam and Vizianagaram districts
Assistant Food Controller, Zone II	East Godavari, West Godavari and Krishna districts

Assistant Food Controller, Zone III	Guntur, Prakasam and Nellore districts
Assistant Food Controller, Zone IV	Cuddapah, Kurnool, Chittoor and Anantapur districts
Assistant Food Controller, Zone V	Warangal, Khammam, Karimnagar and Adilabad districts
Assistant Food Controller, Zone VI	Nizamabad, Medak, Nalgonda, Mahabubnagar and Rangareddy districts
Assistant Food Controllers, Headquarters	Hyderabad district (Twin Cities of Hyderabad and Secunderabad)

No person shall sell or export for sale or distribute or offer for sale, or dispatch or deliver to any person for the purpose of sale, which does not conform to Standards of quality provided in the P.F.A. Act, 1954 and which is not packed in a container, marked and labeled in the manner specified in Scheduled- I of the Order.

The registration is valid for three years from the date.

The renewal is for three years and the application for the renewal should be made within sixty days before the date of expiry of the certificate.

The inspecting officers appointed by the State Government are Officers not below the rank of Food Inspectors, both Gazetted and Non-Gazetted under the control of the Director, Institute of Preventive Medicine, Public Health Laboratories and Food (Health) Administration, Andhra Pradesh, Hyderabad and District Inspectors of Legal Metrology under the control of Legal Metrology Department.

The laboratories notified for analyzing samples are

Regional Laboratory, Visakhapatnam

Public Health Laboratory, Eluru

Regional Laboratory, Guntur

Regional Laboratory, Kurnool

Regional Laboratory, Warangal

State Food Laboratory, Nacharam, Hyderabad

The following are the inspecting Officers authorized to issue analytical reports in respect of edible oils including edible mustard oil and samples received under this Order.

i) Senior Scientific Officer/Junior Scientific Officer who has been notified as public analyst of Srikakulam, Visakhapatnam and Vizianagarm for Regional Laboratory at Visakhapatnam.

Senior Scientific Officer/Junior Scientific Officer who has been notified as public analyst of East Godavari, West Godavari and Krishna for Public Health Laboratory at Eluru.

Senior Scientific Officer/Junior Scientific Officer who has been notified as public analyst of Guntur, Prakasam and Nellore for Regional Laboratory at Guntur.

Senior Scientific Officer/Junior Scientific Officer who has been notified as public analyst of Cuddapah, Kurnool, Chittoor and Anantapur for Regional Laboratory at Kurnool.

Senior Scientific Officer/Junior Scientific Officer who has been notified as public analyst of Warangal, Khammam, Karimnagar and Adilabad for Regional Laboratory at Warangal.

Public analyst of Nizamabad, Medak, Nalgonda, Mahabubnagar, Ranga Reddy and twin cities of Hyderabad and Secunderabad for Food Laboratory at Nacharam, Hyderabad.

The following Officers have been declared as public analysts under this Order for analysis of edible oils collected lifted by the Inspecting Officers and received by the above 6 laboratories:

- 2. Sri V.V.Subba Reddy**
- 3. Sri M.Sai Babu**
- 4. Sri G.Madhu Babu**
- 5. Smt.K.Jayasree**
- 6. Sri A.Ramesh**
- 7. Smt.B.Annapurnamma**
- 8. Sri N.Ravindra**
- 9. Sri V.Koti Reddy**
- 10. Sri A.Madhusudhan Rao**
- 11. Sri P.S.Krishna Prasad**
- 12. Sri A.Satya Prasad**
- 13. Smt.M.K.Lakshmi Devi**

The Edible Oils Commissioner and inspecting officer can enter and inspect any premises or vehicle and seize stocks of edible oils in respect of which he has reason to believe that the contravention of the provisions has been or is being or likely to be committed. They may also enter and inspect any place where the edible oil is packed, stored and sold and take samples for examination. The procedure specified for taking samples of edible oils by the Inspecting Officer i.e. Officer not below the rank of Gazetted Food Inspector under the control of the Director, Institute of Preventive Medicine, Public Health Laboratories and Food (Health) Administration, Andhra Pradesh, Hyderabad or as the case may be, the District Inspectors of Legal Metrology under the Controller, Legal Metrology, Hyderabad or as the case may be, non-Gazetted Municipal Inspectors of Hyderabad city under the control of Municipal Commissioner of Hyderabad for examination from any place where edible oil is packed, stored or sold namely:-

the sample for analysis may be taken in the presence of a person incharge of the

premises;

the sample shall be made three parts, each part to be filled in separate, clean, dry, bottle or jar or in any other suitable container which shall be closed tightly to prevent leakage, evaporation or entrance of moisture and container shall be wrapped with thick brown paper marked and sealed. The approximate quantity of the sample in each part may be 125 grams. Signature or thumb impression of the person incharge shall be taken;

one part of the sample shall be delivered to the person incharge in whose presence the sample has been drawn after obtaining his/her acknowledgement;

one, out of the remaining two parts of the sample shall be sent for analysis to the concerned authorized laboratory notified under the Edible Oils Packaging (Regulation) Order, 1998;

the third part of the sample shall be retained by the Inspecting Officer i.e. not below the rank of Gazetted Food Inspector under the control of Director, Institute of Preventive Medicine, Public Health, Laboratories and Food (Health) Administration, Andhra Pradesh, Hyderabad or as the case may be the District Inspectors of Legal Metrology under the Controller, Legal Metrology, Hyderabad or as the case may be, non-Gazetted Municipal Inspectors of Hyderabad city under the control of Municipal Commissioner of Hyderabad for production before the court in case of any dispute or need for further analysis at the Laboratory of the Directorate of Vanaspathi Vegetable Oils and Fats authorized for the purpose by the "Edible Oils Commissioner";

the Senior Scientific Officer/Junior Scientific Officer who has been notified as Public Analyst working in the concerned authorized laboratory notified under Edible Oils Packaging (Regulation) Order, 1998 shall within a period of 15 days from the date of receipt of sample for analysis, send by Registered post or by hand to the concerned Inspecting Officer i.e., not below the rank of a Gazetted Food Inspector under the control of Director, Institute of Preventive Medicine, Public Health Laboratories and Food (Health) Administration, Narayanaguda, Hyderabad, Andhra Pradesh or as the case may be the District Inspectors of Legal Metrology under the Controller, Legal Metrology, Hyderabad or as the case may be, non-Gazetted Municipal Inspectors of Hyderabad city under the control of Municipal Commissioner of Hyderabad a report of the result of analysis. The process of analysis and sending of Analytical report of edible oils should be done as per the procedure laid down under the provisions of the Prevention of Food Adulteration Act, 1954 and Rules made thereunder or the process of packaging of edible oils and sending of such samples shall be done as per the procedure laid down in the Standards of Weights and Measures (Packaged Commodity) Rules, 1977 and as per the procedure laid down under the provisions of Prevention of Food Adulteration Act, 1954 and Rules.

Samples drawn should be sent to the authorized lab for analysis. The lab shall make the report within forty days from the date of receipt of the samples to the officer concerned/authorized of the results of analysis of samples sent for examination.

Any Officer authorized by Central Government – for Andhra Pradesh - viz.,

1	All District Magistrates, Deputy Commissioners and Collectors of Districts in the State	The local limits within which they exercise jurisdiction.
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2	All sub-divisional Magistrates	The local limits within which they exercise jurisdiction.
3	Chief Secretaries and Directors of Civil Supplies of Union Territory Administration	The local limits within which they exercise jurisdiction.
4	a) Police Officers in the State of Andhra Pradesh not below the rank of Deputy Superintendent of Police	The local limits within which they exercise jurisdiction
	b) District Supply Officers in Andhra Pradesh	Within their jurisdiction in the State of Andhra Pradesh
	c) The Chief Rationing Officer, Hyderabad	Within his jurisdiction in Hyderabad district

may direct any producer or recognized dealer to maintain specified records and furnish required information. They may also enter and search or authorize any person to search any place where sugar is manufactured/stored in contravention of the order draw or authorize to draw samples for examination, stop and search authorize any person to and search any person/any vehicle vessel etc, transporting the sugar in contravention of the sugar, seize or authorized seizure of sugar in respect of he believes that a contravention of an order has been made.

The procedure for drawing samples is as follows:

- 1. samples shall be drawn in the presence of the producer/recognized dealer or their representatives**
- 2. separate samples should be drawn from each lot**
- 3. sample drawn should be divided into three portions and each portion shall be put in separate container which shall be sealed both by the person drawing the sample and the producer or recognized dealer or his agents and shall be signed by both.**
- 4. two such portions shall be forwarded to the Directorate of Sugar and Vanaspathi and the third should be kept with the producer or recognized dealer or his agents.**

The samples shall be got quality tested by the Director of Sugar and Vanaspathi.

A Certificate to the effect that of the samples each drawn are representative of the lot from which it is drawn and shall be furnished along with the particulars of the samples in the form set out to the Chief Director of Sugar and Vanaspathi.

Any direction issued to a producer or a recognized dealer shall be complied by the

concerned.

The A.P.Rice Procurement (Levy) Order, 1984

This order was issued on 25.1.1984 with the objective of ensuring rice levy from the rice millers and traders and to regulate the levy free rice with a view to having fair and equitable distribution.

Rice Mill Levy percentage on Millers and Dealers:

This order enforces levy of 75% of each variety of rice on millers and dealers, who get paddy milled into rice, to the Government agency at procurement rates fixed by the Government.

Levy of 75% is also imposed on each variety of rice conforming to specifications, purchased or otherwise acquired by the miller/dealer for purpose of sale from persons other than miller or dealer. ; (Clauses 3 & 4)

Any Miller having in his possession a quantity exceeding fifty quintals of paddy or thirty five quintals of rice or fifty quintals of both put together is deemed to be the owner of the stock and is liable for delivery of levy.

(Clause 3-A)

Levy Free Rice:

The balance 25% is levy free and this has to be moved under the release certificates/permits issued by the Collectors (Clause 7 & 8).

(However, with effect from 27.7.2000, the millers are permitted to move levy free certificates without the need of permits/release certificates from the District Collectors).

The miller or dealer who delivers levy can not purchase FAQ paddy at a price lower than the Minimum Support Price (MSP). (Clause 4-A)

Only such of the millers who purchase paddy at MSP and above alone are permitted to deliver levy .

Agency for Levy collection and procedure for mill levy delivery:

The FCI is the agency for accepting levy. Rice conforming to the Fair Average Quality (FAQ) specifications only will be accepted by the FCI under levy.

Release Certificate/Permit for levy free rice:

The millers and dealers shall not move levy free rice from the rice mill/business premises of a dealer without a release certificate issued by the Collector or the Officer authorized on his behalf in the form set out for this purpose.

(However, the requirement of obtaining a permit from the Collector or the authorized officer has been dispensed with vide G.O.Ms.No.60, F, CS & CA Dept, dated 27.7.2000).

Government can direct the millers to convert any stock of paddy into rice pertaining to the Government or its agencies of the Food Corporation of India/State Corporation on such terms and conditions notified by the State

Government

For undertaking custom milling of paddy, the rice miller has to obtain the permission in the form set out from the Collector or the authorized officer. For custom milling of paddy of farmers and farm labourers or the stock of Government or Government of agencies, no permission is required.

(Clause 10-1).

Powers of entry, search and seizure:

The enforcement officer (any officer of the Revenue Department not below the rank of a Deputy Tahsildar or any officer of the Civil Supplies Department not below the rank of a Food Inspector of Upper Division Cadre appointed as such by the Collector concerned and any officer authorized in this behalf by the State Government not below the rank of a Sub-Inspector of Police of the Vigilance Cell of the Civil Supplies Department) an any officer authorized in this behalf by the State Government and not below the rank of a Sub-Inspector of Police) may: (the Vigilance Cell has been abolished in 2001 and the Vigilance and Enforcement is looking after the enforcement work of Vigilance Cell)

inspect, any book/document, accounts as well as any stock of rice or paddy or broken rice belonging to or under the control of a miller or dealer

require any person to give any information in his possession with respect to any undertaking or business for production or manufacture of rice for purchase, sale or storage for sale of rice or paddy or broken rice

stop and search forthwith, with such aid or assistance as may be necessary, any person or vehicle or vessel or animal used or suspected of being used for delivery of rice or paddy or broken rice from the mill or other premises of the miller or dealer where he has reason to believe, rice or paddy or broken rice is stored

enter and search, with such aid or assistance as may be necessary, such mill or other premises

seize and remove with such aid or assistance as may be necessary

i) any stock of rice or paddy or broken rice in respect of which or part of which he has reason to believe, a contravention of any of the provisions of this Order has been, or is being, or is about to be committed

ii) any package, vehicle, vessel or other conveyance used in carrying such stock of rice or paddy or broken rice if he has reason to believe that such animal, vehicle, vessel or other conveyance is liable to be forfeited under the provisions of the Essential Commodities Act, 1955 and thereafter, without unreasonable delay made a report to the Collector under the provisions of Section 6-A of the said Act

seize and remove any books of account or documents which in his opinion shall be useful for or relevant to any proceedings in respect of any contravention of this Order and allow the person from whose custody such books of accounts or documents are seized to make copies thereof or take extracts there from in his presence.

The A.P.State Public Distribution (Control) Order, 2001.

This Order is issued to ensure equitable distribution of essential commodities to the BPL, APL families, AAY and Annapurna beneficiaries under PDS through cards authorizing the fair price shops, establishments like catering establishments, residential establishments, manufacturing establishments etc. supply of scheduled commodities viz., Rice (including paddy), Wheat Whole or broken or the flour products thereof, Jowar, Bajra, Maize, Sugar, Pulses, Edible Oils, Kerosene, Janatha Sets, Nationalised text books.

The appointing authority viz., the District Supply Officer having jurisdiction over the area in respect of Hyderabad District, the District Supply Officer (City) having jurisdiction over the area in respect of Visakhapatnam city; and the Revenue Divisional Officer or the Sub-Collector concerned in respect of other districts issues the authorization to the fair price shops owned by the State Government or any State Government undertaking or any public institution or persons including women or Development of Women and Children in Rural areas group (DWCRA) or registered women voluntary consumer organizations or thrift groups like Podupu Lakshmi or cooperative societies which are run exclusively by women (which have only women as members) either wholly or partly, subject to such preferences and reservations as may be prescribed by Government from time to time in this regard, to obtain and supply scheduled commodities in the proforma prescribed in Form II on application in Form I of the order.

The dealer has to comply with provisions of the Order, the directions and the conditions of the license.

The authorization ceases to be in operation if the Government undertakes running authorized F.P.Shop either by itself or through Government undertaking or a Corporation wholly owned by Government or a Cooperative Society for the benefit of SC/ST under Government scheme. State Government may also in the public interest, replace all or any of the F.P.Shop dealers and entrust the distribution through a shop set up by the State Government, a State Government undertaking or a Cooperative Society.

The authorization is issued for two years, upto March 31st. Renewal is also for two years. The application for renewal should be made within one month after the expiry of the validity. If this is not done, the license ceases to be in operation. Fee for issue of authorization is Rs.500 and the renewal fee for two years is Rs.250/-. If the authorization is defaced, lost, destroyed or otherwise, there is provision for issue of duplicate authorization on payment of Rs.500/-. The refundable trade (Security) Deposit is Rs.3000/- in rural areas and Rs.4000/-in urban areas. Exemption for security deposit is provided for shops run by Government, Government undertaking or a Corporation wholly owned by Government or any fair price shop dealer exempted specifically by the Government for the benefit of SC or ST under a Government scheme.

A person dealing in same commodities obtained other than through Government for supply through PDS either in his name or in the name of any member of his family shall not be eligible for fair price shop authorization. If the authorization has already been issued, such authorization will be cancelled. The F.P.shop dealer has to give an undertaking to the appointing authority concerned that he or she would relinquish the dealership if he or she is selected to any public office. The authorization is not transferable.

Supply cards are issued by the Government/Collector/MRO/ASO to any person, class of persons or public generally.

The Government/Collector/MRO/ASO or any Officer authorized by Government or by Collector on request or add to, suo motu amend, vary, suspend or cancel such card. The cancelled card should be delivered to Government/Collector/MRO/ASO or any Officer authorized by Government or by Collector. Supply documents are the property of the Government. It is the responsibility of the person to keep it in safe custody. If any supply document is lost, defaced, destroyed duplicate card can be issued on payment of RS.10/- per APL card and Rs.5/- per BPL/AAY cards. If the Collector or the authorized Officer is satisfied that the original cards were defaced, lost or destroyed due to fire, flood or other natural calamity are is required to be produced in the Court etc., no fee should be charged for issue of a duplicate card. If the lost card is found it has be returned to the authorized Officer. If the card has to be cancelled it has to be cancelled in ink whether by means of a dye or stamp or stamps or otherwise or by means of indelible pencil. Then only the card ceases to be in operation. Against the cancellation or denial of issue or renewal of supply card, the aggrieved cardholder in the districts except twin cities of Hyderabad and Secunderabad and Visakhapatnam (Urban) may file an appeal before the Revenue Divisional Officer of the concerned division within 30 days. In respect of twin cities of Hyderabad and Secunderabad and Visakhapatnam (Urban) the appeal has to be filed before the DSO concerned.

Powers of entry into the premises, inspection, search and seizure are vested in the Officers or persons authorised by the Government or by the Collector or by the appointing authority or any officer of the Revenue or Civil Supplies Department not below the rank of Revenue Inspector / Checking Inspector / Food Inspector (Civil Supplies), Deputy Tahsildar (Civil Supplies) / Deputy Tahsildar (Revenue) or any Gazetted Officer of Vigilance and Enforcement Department, AP, Hyderabad: These Officers can summon and enquire any person; require the production of any document and take or cause to be taken extracts from or copies of such documents; take or cause to be taken the weight or measure of the scheduled commodities found in the premises; seize any commodity in respect of which he has reason to believe that the provision of the Order has been contravened. (The provisions of section 100 of the Code of Criminal Procedure, 1973 relating to search and seizure shall apply). For possessing cards, making false entries or diverting stocks, the fair price shop dealer has to pay loss to Government calculated as the difference between the market rate and PDS rate of commodities supposed to have been supplied on such cards from the date of issue of the authorization of the fair price shop or the date of issue of household supply card whichever is later. If fair price shop dealer makes false entries by fraudulently showing to have supplied more quantities than supplied or diverts stocks but does not make entry in the cards with a view to making fictitious entries, subsequently to cover up the excess stocks the dealer has to pay the loss to the Government calculated as the difference between the market rate and PDS rate of commodities supposed to have been supplied on such card from the date of issue of the authorization of the fair price shop or the date of issue of household supply card whichever is later. If fair price shop dealer diverts stocks either wholly or partly he shall be liable to pay as penalty three times as the difference between the market rate and PDS rate of commodities besides cancellation of authorization given. The fair price shop dealer or the authorized establishment has to deliver all supply cards or other supply documents surrendered to him, furnish all particulars relating to his dealing as may be required by the MRO/ASO or any Officer authorized by the Government or the Collector.

The appeal lies to the Joint Collector of the district if the order appealed against is of the RDO or Sub-Collector or the DSO (City) of Visakhapatnam and to the CRO in Hyderabad district, if the order is that of DSO. The appeal shall be filed within 30 days from the date of receipt of the order. Reasonable opportunity should be afforded to the appellant for making his representation before passing an order as

deemed fit. Pending disposal of the appeal, the Joint Collector/CRO may direct that the order under appeal shall not be effected until the revision is disposed of.

Revision against the order of the Joint Collector lies to the District Collector concerned within 30 days from the date of communication of the order. Against the order of the CRO, Hyderabad, the revision lies to the Commissioner of Civil Supplies, if the revision petition is filed within 30 days. Order on revision petition has to be passed only after giving reasonable opportunity of representing the case by the aggrieved person. Pending disposal of the revision the Collector/CCS may direct that the order under revision shall not be effected until the revision is disposed of.

The fair price shop dealer need not apply any other licenses in case he possesses the authorization.

The dealer shall not retain ration cards after the supply of essential commodities. The ration card holders shall not be denied the supply. The dealer shall pass bills to the consumers.

The scale of issue and price of each commodity as fixed should be exhibited at a conspicuous place in the shop. The information regarding list of BPL and APL, Antyodaya/Annapurna beneficiaries, entitlement of essential commodities, scale of issue, retail issue prices, timings of opening and closing of the fair price shop, stock of essential commodities received during the month, opening and closing stock of essential commodities, the authority for redressal of grievances/lodging complaints with respect to quality and quantity of essential commodities under the public distribution system, display of samples of foodgrains being supplied through fair price shop/authorization number and reference and validity should be displayed, daily on a notice board at a prominent place in the F.P.Shop.

Opening and closing of the fair price shops as per the prescribed timing should also, be displayed in the notice board. Accounts of the actual distribution of essential commodities and balance stocks at the end of the month should be invariably submitted by the fair price shop dealers to the Dy.Tahsildar (CS)/MRO with a copy to the Gram Panchayat.

The monthly inspections and regular inspections to be carried out by every functionary from Deputy Tahsildar to Collector and the records to be verified are indicated in Clause 23. Proforma for reporting about the functioning of fair price shops to the district authorities is indicated at Form A. Form B is the proforma for furnishing information by the District Administration to the State Government. Form C is the proforma for furnishing information by the State Government to the Government of India. The declaration form to be filed by the applicant for ration card is also prescribed and annexed to the Order.

Selection and appointment of Fair Price Shop Dealers under the A.P.State Public Distribution System (Control) Order, 2001.

Notification of vacancies of fair price shops and selection process:

&#The vacancies should be notified on every 1st of the month inviting the applications for walk in interview along with original certificates on a specified date at least after 10 clear days after notification. Notification of the vacancies should be affixed on the notice boards of the offices of the RDO, MRO and Gram Panchayat concerned and in the village where fair price shop is located.

Results should be announced on the next day of the interview.

Copies of notifications should be sent to Sarpanch of the Panchayat in which the

fair price shop is to be located. Members of the Mandal Food Advisory Committee/Fair Price Shop Committee and MLAs and MPs and whose constituency where fair price shop vacancy is going to be filled up. The notification shall be publicized by beat of drum or through public announcement (if such system is existing in village or town) system in the village or town. In twin cities of Hyderabad and Secunderabad, the notification shall be published at CRO's office, CCS Office and ASO's offices and copies to be sent to the members of the Corporation and Circle Level Food Advisory Committees in addition to MPs and MLAs concerned.

The notification should specifically indicate whether vacancy is for filling up by SCs/STs/BCs/PH/Women so that the categories eligible alone apply.

Applicants to the eligible persons for interview should be sent indicating the date, time and venue of interview.

Selection should be done by the appointing authority on the basis of interview purely on merit which is dependent upon the minimum general educational qualifications.

The antecedents of selected candidate would be got verified by the appointing authority to the MRO regarding punishment or involvement of candidate in any case under various Laws or E.C.Act., his/her relationship with the any business or ex dealer or Government employee etc.

Unemployed persons or from registered rural area groups of women's voluntary organizations (which have only women as members or women's thrift groups like "Podupu Lakhmi" cooperative societies run exclusively by women) shall be eligible for appointment as fair price shop dealer.

Qualifications:

10th class is the minimum general educational qualification. If persons of higher qualifications apply they shall be treated equally.

If no candidate is available with minimum general educational qualification, candidate possessing lesser education qualification not less than 5th class may be considered.

Age limit:

The minimum age of an applicant for fair price shop is 18 years and maximum 40 years.

Reservation:

Reservation in appointment to be observed fair price shop dealers is SCs-15%; ST-6%; PH-3%, BC-25%. 30% is reserved for women in allotment. Out of this, 1% is reserved to widows of ex-service men.

The F.P.Shop dealers selected from women quota shall be adjusted both in reserved and open category. The reservation percentage shall be maintained at division/circle level on overall basis of strength of the reservation provided treating the entire Revenue Division/circle as a unit.

The candidate should be a resident of the Gram Panchayat / Municipal limit of the town in which the shop is to be located.

In respect of physically handicapped he shall be a resident of the mandal concerned and on appointment he has to shift his residence to the village or town where the fair price shop is sanctioned.

Preferences: Resident of the revenue village/hamlet/Ward in the Municipality; families of freedom fighters, DWCRA groups, thrift groups, functioning under various names like "Podupu Lakshmi"; in tribal areas wherever the DR Depots of GCC are existing fair price shops should run through them. If there are no DR Depots, the shops shall be entrusted to the part time Depots of GCC manned by tribal candidates. Where there are no DR depots or part time Depots, the PO, ITDA should identify suitable tribal beneficiaries and allot fair price shops.

Ineligibility

Individuals holding any Public Office like Sarpanch of Gram Panachayat, President of Mandal Praja Parishad, Chairman of Zilla Praja Parishad, Presidents of Co-operative Societies \ Councilors or Chairman of Municipality / Members of Zilla Parishad Territorial Constituency (ZPTC) etc. are not eligible or their family members fir selection and appointment of F.P.Shop Dealership irrespective of the reservation.

Fair price shop dealer has to given an undertaking to the appointing authority that he/she would relinquish if he /she is elected to the public office.

Those having close relatives of Government employees especially those working in C.S.Department or Revenue Department or the C.S.Corporation or Village Administrative Officer of the village are not eligible.

Before filing the application or before the authorization is issued the candidate should indicate the mulgi/shop No. or the door number of the place of business.

Suspension/cancellation of authorization, arrangements to be made in such situations:

Suspension or cancellation of authorization, forfeiture of the security deposit shall be done by the appointing authority only. Temporary arrangements of attaching card to nearby fair price shops shall be made by the appointing authority only.

To ensure uninterrupted supply of essential commodities in cases where the existing fair price shop authorization is suspended or cancelled it shall be attached to the neighbouring fair price shop in the village. When it is not possible to do so for any reason, the fair price shop may be entrusted purely on temporary basis for a limited period duly indicating therein that no right would accrue at the time of filling up the vacancy on a regular basis.

Tenure of the F.P. Shop dealer:

Fair Price Shop Dealer has to work for a minimum period of five years unless authorization is suspended or cancelled. Resignations within five years are not accepted. Failure of this condition would result in forfeiture of security deposit.

Requirements of the selected candidate for fair price shop:

The candidates should be financially sound to lift the stocks required for the cards attached to the shop. The required funds may be mobilized through the institutional finance or candidates own finance and should be proved to the satisfaction of the appointing authority.

The candidates should not have adverse antecedents like criminal cases under any Law; shall be of good health and should not be suffering from contagious or infectious disease or any other disability making him/her unfit to run the shop.

The fair price shop should be run by the applicant personally and not in benami through an agent.

Women dealers may take the assistance of their family members whose names are included in the dealers household card. If the woman dealer gets married and in the event of leaving the village, the dealership should be relinquished. Transfer of dealership is not permissible. An undertaking to the effect that if transfer is attempted, he or she will lose the dealership besides deposit.

The candidate should not have any connection with other business directly or indirectly.

For individual candidates appointing authority ensures institutional finance from the Corporations concerned. The appointing authority shall ensure that the candidates who have already availed of the benefits under other Government Schemes like Gramodaya Padhakam, Khadi and Village Industries Board are not allotted fair price shops.

Undertaking by FP Shop dealers to sell commodities on weight/kerosene by measure:

Fair Price shop dealers shall give an undertaking to sell rice, wheat, sugar and palmolien oil on weight and kerosene on measurement; use weights and measures properly stamped by the Legal Metrology Department and get them renewed from time to time; sell essential commodities at the prescribed rate; maintain proper accounts; hand over the books of accounts each month to the MRO/ASO concerned for verification and use the registers in which the pages are stamped and the total number of pages certified by the concerned MRO/ASO.

The Andhra Pradesh Petroleum Products (Licensing and Regulation of Supplies) Order, 1980.

This order has been issued with a view to maintaining the supplies of the petroleum products and for securing their equitable distribution at fair prices, through licensing the trade and regulation of their supplies.

The petroleum products covered by this order are: Kerosene, Motor Spirit (Petrol), High Speed Diesel Oil (HSD), Light Diesel Oil (LSD), and solvents of all types including white petrol, Mineral Turpentine Oil, Naptha and Natural Gasoline liquid, Liquefied Petroleum Gas (LPG), Auto Liquefied Petroleum Gas (Auto LPG).

Every person dealing in the petroleum products has to take a license – for storing/dealing in 100 litres (hecto litre) of kerosene, 2500 litres or more HSD/LDO or in excess of 7 cylinders of 14.2 kg of LPG. License (B Form) will be issued to

wholesalers and retailers and in BB form to hawkers. (Clause 2)

Collector or any Officer authorized by him is the licensing authority. License fees and security deposit for depositing by the dealer are prescribed. The license is valid for one year or three years at a time, ending by 31st December. Renewal can be made for one year or three years. There is no security deposit to the dealers belonging to SC, ST, Physically/Mentally handicapped and shops run by State Government under taking or a Corporation wholly owned by the State Government.

The application for renewal should be received within one month after the expiry of the validity of the licence. It can be renewed even after one month but within 2 months, if the licensee remits a late fee equivalent to renewal fee of one year along with renewal fee. If the licensee does not apply within one month or within 2 months with late fee after the expiry of the validity, the licence ceases to be in operation and the security deposit gets forfeited to Government.

Licensing authority can refuse the grant or renew of a license after giving an opportunity to the concerned to represent his case for reasons to be recorded in writing.

Licensing of carriers:

Owners of the carriers of petroleum products have to obtain registration certificate in Form 'F'.

(Trucks carrying petroleum products should not be used for transporting edible oils.)

The registration certificate will be for one year or three years upto the last day of the financial year from the date of issue. It can be renewed for one year or three years on payment of required fee and renewal fee. Security Deposit is Rs.1000/- besides the fees for certificate/renewal. The dealer has to maintain correct and true accounts of purchases, sales etc. (Clause 4-11)

Dealers should not act in any manner prejudicial to the maintenance of supplies of petroleum products in the State.

Requirements to be complied by dealers:

Every wholesale dealer of kerosene has to lift kerosene as allotted by the Collectors and keep adequate quantity at his business premises at all times for release to the dealers and others as per the allotment orders of the Collector or the Officer authorized by him.

Dealers have to submit monthly reports. However, the dealers of HSD/LDO are exempted from filing the returns. 9; (Clause 12)

Dealers shall not charge a higher rate than fixed by Central Government/State Government/recommended by Oil Companies.

Dealers should not charge any rate for supply of air and water.(Clause 13)

Dealer shall display a board at a conspicuous place of his business premises indicating registration number, working hours, weekly holiday, opening balance of the petroleum products on the day, the quantity of the petroleum products received during the day with the time of arrival, time, when the stock of the petroleum products is exhausted and price of the petroleum products per litre.

For the purpose of checking the actual stock, inspecting officers have to be guided by allowances to be made for calculation error and operating losses prescribed by

the Oil Companies.

Weekly holiday can be either Friday or Sunday as per the choice of the dealer with the permission of the Collector.

Persons other than licensees should not possess petroleum products unless there is a permit issued by the licensing authority or the officer authorized by him. This will not apply to putting petrol in a tank fixed permanently to a motor vehicle. For a stranded motor vehicle upto 5 litres of petrol is allowed in cans. For operating petrol operated insecticide sprayers, petrol not exceeding 5 litres, can be allowed in cans.

Dealers shall not refuse to sell petroleum products. (Clause 24)

Quality of the petroleum product:

Quality of the petroleum product shall be as supplied by the Oil Companies.

No petroleum product shall be transferred without an invoice of Oil Companies.

Suspension/cancellation of licence by Licensing Authority:

Action has to be initiated first under Clause 28 (1) for cancellation of the license/registration certificate/supply card and license/registration certificate can be cancelled only after following the principles of natural justice viz., giving a reasonable opportunity to the licensee etc. to represent his case in writing and also affording an opportunity for personal hearing to represent his case against the proposal cancellation.

Pending action under 28 (1) license/registration certificate/supply card can be suspended recording the reasons in writing. If a licensee or holder of a registration certificate or supply card has been convicted by a Court of Law in respect of any other provisions of E.C.Act, 1955, his license/registration certificate/supply card can be cancelled giving the reasons in writing. For the violation of the conditions of the license/registration certificate/supply card, forfeiture of the security deposit – wholly or partly can be ordered. If the licensee is exempted from making security deposit, the licensee has to pay penalty not exceeding the security deposit.

Appeal:

Appeal against the orders of the licensing authority lies to the Commissioner of Civil supplies if it is that of Chief Rationing Officer or the Collector; to the CRO, if it is that of ASO; to the Collector of the district concerned if it is that of a Revenue Divisional Officer or District Supply Officer and to the RDO concerned if the order is that of a Tahsildar within 30 days from the date of receipt of the Order of the lower Court. The appellate authority may condone the delay if he is satisfied with the reasons. The appellate authority may, after giving an opportunity to the appellant to be heard in person, pass orders confirming modifying/annulling the orders appealed against. The appellate authority can also direct that the orders against which appeal has been filed shall not take effect until the appeal is disposed of.

Powers of entry, search and seizure:

The licensing authority or any other Officer of Revenue or Civil Supplies Department

not below the rank of a Revenue Inspector, Civil Supplies or any other officer duly authorized by the licensing authority, or any Gazetted Officer of Vigilance and Enforcement Department in writing may, with such assistance require the owner, occupier or any other person incharge of the business of vehicle etc. to produce any books, accounts or other documents showing transactions relating to any contravention; enter, inspect or break open and search any place or premises vehicle or lesser; take extracts from or copies of any documents relating to contravention; search, seize or seal the under ground tank or remove stocks and the animals, vehicles, vessels or any other conveyance vehicles.

Provisions of section 100 of Code of Criminal .Procedure shall apply in so far as search and seizure concerned.

Prosecution:

Prosecution can be launched only with the previous sanction of the Collector concerned.

Exemption:

Government can also exempt any person or class of persons or institutions from the provisions of this Order.

This Order shall not apply to railways, Defence services or ocean going vessels calling at any port of Andhra Pradesh; the sale or storage for sale or purchase of petroleum products on the Government account and; the sale by banks of stocks of petroleum products hypothecated to them provided that the kerosene is sold to the in accordance with the terms and conditions applicable to the hypothecators.

The A.P. Exhibition of Price Lists of Goods Order, 1966

This Order provides for display of prices and stocks of commodities sold by the dealers (other than a hawker or a pedlar).

Dealers to exhibit price list in English or chief language of the district prices of various goods:

Every dealer has to exhibit the price list at the entrance or at some other conspicuous place of his business premises in English or the chief language of the district, indicating the prices of different classes or varieties of the goods with the signature of the dealer.

A dealer has to display the opening balance on each day along with the retail sale price of foodgrains includes pulses both whole and split, wheat products, sugar including khandasari sugar, edible oils and edible oils seeds, vanaspathi, baby foods, cooking gas, all varieties of paper, insecticides, weedicides, salt. In respect of washing and toilet soaps, cycle tyres and tubes including cycle rickshaw tyres and tubes and note books, the availability or otherwise has to be indicated.

In respect of packaged commodities, where the manufacturer or the packer has not mentioned the retail price on the package, the price list should indicate the retail price and the local taxes leviable, if any. If the retail price is indicated by the manufacturer or packer, it shall be the price to be indicated for sale.

Correct rate to be charged:

Dealer shall not charge the price in excess of the rate calculated with reference to the controlled rate, if any, fixed by the Government and in case where no such rate is fixed, the price in excess of that fixed or recommended by the manufacturer or

producer of that commodity.

Dealer not to enter into speculative trade:

The dealer shall not enter into a transaction involving purchase or sale of goods or storage for sale or withhold from sale goods kept for sale by him with a intension of selling at higher rate; thereby, prejudicially affecting equitable distribution and availability at fair prices in the market.

Power of entry, search and seizure:

The Director of Civil Supplies or the Inspector General of Police or the District Collector or the Chief Rationing Officer, or the Director of Handlooms and Textiles or the Commercial Tax Officer or the Director of Agriculture or any Officer authorized by the Director of Civil Supplies or the Inspector General of Police or the District Collector or the Chief Rationing Officer or the Director of Handlooms and Textiles or the Director of Agriculture in this behalf or a police officer not below the rank of Sub-Inspector of the Vigilance Cell, Civil Supplies Department, (the Vigilance and Enforcement Officers have taken over the activities of vigilance Cell) Chief Rationing Officer and Assistant Supply Officer in the twin cities of Hyderabad and Secunderabad may require any person to give a copy of price list or any other information of any business, inspect any document or any stock of article, enter and search or authorize any person to enter and search any premises or place and seize or authorize for seizure any article in respect of which the inspecting officer is reason to believe that the provision of the order has been or being or is about to be contravened.

Issue of receipt unless exempted:

Every dealer has to issue receipt except exempted by the Government or the Collector. The dealer shall keep the counter foils or the duplicates of the invoices in the form of a book. This book shall be kept for a period of two years from the date of issue of invoice issued from the book.

**The Andhra Pradesh Essential Commodities Distribution and Movement
(Requisitioning of Vehicles at Fixed Freight) Order, 1983.**

This Order is for requisition the vehicles for movement of Essential Commodities and to pay the fixed freight for such requisition.

This Order applies to all essential commodities notified under the Essential Commodities Act, 1955.

All the public carriers registered under the Motor Vehicles Act, 1939 come under the purview of the this Order.

Collector (Collector of the district and includes the Chief Rationing Officer of the twin cities of Hyderabad and Secunderabad) is authorized to requisition any public carrier for the purpose of transporting essential commodities for such period to be specified in writing.

The Enforcement Officer viz., any Officer of Revenue, Civil Supplies, Police or Transport Department or any Officer of any other Department including the State Public undertaking not below the rank of Revenue Inspector or Sub-Inspector of Police or Motor Vehicles Inspector shall enforce the Order of requisition subject to

the conditions that the requisitioning is for the purpose of movement of essential commodities and does not affect the transport or distribution in pursuance of any order issued by the Central Government .

Payment of freight to the requisitioned vehicle:

The owner of the requisitioned vehicle will be paid freight at the rates that may be fixed by the State Government under sub-section 1 of section 43 of the Motor Vehicles Act, 1939. If such rates are not fixed by the Government, the Collector or the Chief Rationing Officer, as the case may be shall fix the rates in consultation with the RTO concerned within the district. The Commissioner of Civil Supplies fixes the rates for the vehicles requisitioned for Inter-District movement.

The Andhra Pradesh Storage of Essential Commodities (Requisitioning of Godowns) Order, 1986

This order was issued for requisitioning the premises of the godowns for storing the essential commodities notified under the Essential Commodities Act, 1955.

This order applies to essential commodities notified under the Essential Commodities Act, 1955.

Definitions:

The Collector including the Joint Collector and such Other Officers not below the rank of Sub-Divisional Officer as may be authorized by the Collector to perform the functions and exercise the powers of the Collector under this Order is authorized to requisition the godowns suitable for storing essential commodities for purposes of PDS. However, the storage capacity of the godowns constructed by Central Government undertaking will not come under the purview of this Order.

Officers competent to requisition the godown/enforcement of requisitioning Order:

The Collector can requisition godowns for period specified in writing. The requisitioning order will be enforced by the Enforcement Officer viz., an Officer not below the rank of Mandal Revenue Officer subject to conditions that the requisition is for storing the essential commodities to be distributed under the PDS within the State and does not affect storage of commodities in pursuance of any Order issued by the Central Government. The requisition shall not apply to the storage capacity constructed by the Central Government undertaking.

Payment of rent for the requisitioned godown:

The owner of the godown shall be paid rent as fixed by the Collector in consultation with the Department of Roads and Building in the district.