

THE TAMILNADU PADDY (RESTRICTION ON
MOVEMENT) ORDER, 1982
FOOD AND COOPERATION DEPARTMENT

TAMIL NADU PADDY (RESTRICTION ON MOVEMENT) ORDER, 1982

(G.O.Ms.No.771, Food and Cooperation (B1) 22nd October 1982

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(a) dt. 22nd October 1982)

Whereas, the State Government are of the opinion that for maintaining supplies of paddy and rice and for securing their equitable distribution and availability at fair prices, it is necessary and expedient to provide for the control of the movement of the stocks of paddy.

Now, therefore in exercise of the powers, conferred by section 3 of the Essential Commodities Act 1955 (Central Act 10 of 1955), read with the Government of India, Ministry of Agriculture (Department of Food) order G.S.R.No.800, dated the 9th June 1978, published in part 11-section 3, sub-section (1) of the Gazette of India, dated the 17th June 1978 and with the prior concurrence of the Central Government, the Governor of Tamilnadu, hereby makes the following order:-

ORDER

Short title, extent and commencement- (1) This order may be called the Tamil Nadu Paddy (Restriction on Movement) Order 1982.

- 2) It extends to the whole of the State of Tamil Nadu
- 3) It shall come into force at once

Definitions: In this order, unless the context otherwise requires:-

(a) Authorised Officer means-

- (i) In relation to the whole of the State of Tamil Nadu, the Commissioner of Civil Supplies and Consumer Protection Madras or the Joint Commissioner of Civil Supplies, Madras:
 - (ii) in the case of City of Madras and the Belt Area comprising Saidapet taluk and Avadi Township in Chengalpattu district the Deputy Commissioner of Civil Supplies within his jurisdiction:
 - (iii) in other places, the Collector, the Additional Collector, the District Revenue Officer and the District Supply Officer, within his district, the Revenue Divisional Officer within his Revenue Division and the Taluk supply officer within his taluk.
- b) "Competent officer" means any officer of the Revenue or Civil Supplies Department not below the rank of Revenue Inspector or any officer of the Police Dept., not below the rank of Head Constable or any Officer of Commercial Tax Department not below the rank of Assistant Commercial Tax Officer:
- c) "Government " means the Government of Tamilnadu;
- d) "Paddy" means rice in the husk:
- e) "State" means the State of Tamil Nadu;
- f) "wholesaler" means a dealer who holds a wholesale licence under the Tamilnadu Paddy and Rice (Regulation of Trade) order, 1974.

3. (1) No person shall transport, move or otherwise carry or prepare or attempt to transport, move or otherwise carry or aid or abet in the transport, Movement or otherwise carrying of paddy, outside the State by road/rail or otherwise except under and in accordance with the conditions of a permit issued by an authorised officer.

(1A) No person shall transport, move or otherwise carry or prepare or attempt to transport, move or otherwise carry, or aid or abet in the transport, movement or otherwise carrying of paddy outside "or into" the places notified under clause 3 of the Tamil Nadu Essential Trade Articles (Regulation of Trade) Order 1984 by road/rail or otherwise. (G.O.Ms. No.1236, C,F & C.P. dt.01.10.86)

(2) Nothing contained in sub-clause (1) shall apply to the transport or movement of paddy:-

(i) on State or Central Government account:

(ii) by or on behalf of the Food Corporation of India established under the Food Corporation Act, 1964 (Central Act 37 of 1964) :

(iii) on military credit notes:

(iv) not exceeding 2 kilos in weight in the aggregate by a bonafide traveller as a part of his luggage:

(v) by order on behalf of the Tamil Nadu Civil Supplies Corporation Limited established by the Government.

(3) Nothing contained in sub-clause (1) shall apply to the transport or movement of the National Seed Corporation Limited or by any other person, of seeds of paddy certified as such by the said National Seeds Corporation Limited.

(4) PERMIT

(i) Every application for a permit under sub-clause (1) of clause 3 shall be made in Form 1 appended to this order and shall be addressed to the authorised officer.

(2) The permit shall be in Form II appended in this order

(5) Inspection and seizure of stocks of paddy: (1) If any competent officer has reason to believe that any contravention of this order has been committed or is being committed or is about to be committed, he may,

(a) inspect any book, account or other documents or any stock of paddy in the possession or under the control of any person

(b) seize any such book, account or other documents;

Provided that the book account, or other documents seized under this item shall not be retained by the competent officer for a period, exceeding ninety days from the date of the seizure, unless the reasons for retaining the same for more than ninety days are recorded by him in writing and the approval of the Collector of the district or the Commissioner.

Provided further, that the Collector of the district or the Commissioner of Civil Supplies and Consumer Protection Madras, shall not authorise the retention of such book, account or other documents for a period exceeding thirty days after all the proceedings under this order in

respect of the years for which the book, account, or other documents are required, are completed

- (c) stop and search any person, boat, motor or any vehicle or receptacles or animals used or intended to be used for the movement of paddy;
- (d) enter and search any premises or place:
- (e) seize any paddy in respect of which the competent officer has reason to believe that any provision of this order has been, is being or about to be contravened along with the packages, coverings, or receptacles in which such paddy is found or the animals, vehicles, vessels, boats or other conveyances used in carrying such paddy and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or other conveyances, so seized in a court and for their safe custody pending such production.

Provided that the competent officer shall give a receipt for what is seized immediately after the seizure is effected.

- (2) The competent officer may requisition the services of any police officer or of any other officer of the Government to assist the competent officer, in the lawful exercise of any power vested in the competent officer, under this clause and it shall be the duty of every such officer to comply with such requisition.
- (3) The provisions of sections 100 and 165 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search and seizure shall, so far as may be applied to search and seizure under this clause.
- (4) Notwithstanding anything contained in sub-clause (1) but subject to orders if any, of the Court or the Collector as the case may be, any authorised officer may, by an order in writing, require any stock of paddy seized under sub-clause (1) and within his jurisdiction to be sold to the Government or to an officer or agent of the Government and in such circumstances as may be specified in the order and on such order being made, such stock shall be sold in accordance with such order. A copy of such order shall be communicated to the person from whom such stock of paddy was seized.

Every order passed under this sub-clause shall specify the price payable for the stock of paddy to be sold in pursuance of such order and such price shall be in accordance with the provisions of Essential Commodities Act, 1955 (Central Act 10 of 1955) and shall be paid to the person from whom such stock of paddy was seized.

Prosecution: No prosecution for contravention of any of the provisions of this order shall be instituted without the previous sanction of the Collector of the district concerned in the City of Madras.

Savings: Any order made by any authority, which is in force immediately before the commencement of this order and which is not inconsistent with this order, shall continue in force and all action taken, things done, permits issued under any such order and in force

immediately before such commencement, shall likewise continue in force and shall be deemed to have been made, taken, done or issued in pursuance of this order.

FORM I

(See Clause 4 (1))

FORM OF APPLICATION FOR PERMIT TO TRANSPORT PADDY UNDER THE TAMIL NADU PADDY (RESTRICTION ON MOVEMENT) ORDER 1982.

1. Name and permanent address of the applicants/consignor
2. Whether the transport is to be made by road, rail sea or canal
3. Station/Place from which the paddy is to be transported
4. Station/Place to which the paddy is to be transported
5. Quantities (in kilograms) of each variety of paddy is to be transported.
6. If the paddy is grown by the consignor or consignee on lands owned by him, the place wherein the lands are situated.

Note: In such cases certificate of the Karnam of the village wherein the lands are situated or any officers of the Revenue Department not below the rank of Revenue Inspector shall accompany the application.

7. If the paddy was purchased by the consignor or consignee the names and address and licence numbers (in case of dealers) from whom the purchases were made and the prices paid.
8. Whether the levy prescribed by the Government has been delivered and if so, the quantity of levy, the officer or agency to which delivered, and the date of delivery shall be given.
9. The purpose for which the paddy is to be transported

I/We hereby declare that all the particulars stated above are true.

Signature of the Applicant(s)

FORM II

(See Clause 4 (2))

**FORM OF PERMIT TO TRANSPORT PADDY UNDER THE TAMILNADU PADDY
(RESTRICTION ON MOVEMENT) ORDER, 1982**

I hereby permit Thiru

to transport by rail/road/canal/sea the consignment of paddy specified below from

to paddy Quintals

2. This permit is valid upto and including

Designation of the Officer Issuing the Permit

Note: This permit is not transferable.

As per G.O.Ms.No. 50, cooperation ,Food and Consumer Protection Department, dated.05.02.1992 Government have ordered that the 50% traders levy system of procurement now prevailing in all areas of the state (Except the monopoly procurement area) be kept in abeyance untill further orders with effect from 29.01.1992. As per G.O.Ms.No. 347, Cooperation ,Food and Consumer Protection (B1) Department, dated.29.07.2002 Government ordered that the decentralised procurement of paddy be implemented in the state with effect from 01.10.2002. Subject to the conditions stipulated in the memorandum of understanding annexed to this order. The Government of India have permitted the state Government to procure paddy initially upto 1lakh tonnes of equivalent rice. Under these system direct procurement will be continued on behalf of Government of India for its common All India Rice Pool.