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ANNEXURE - A/9

Regd. No. NE 907



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The Mizoram Gazette

EXTRA ORDINARY

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NOTIFICATION

No. SLM 40/80/93-117 the 13th November, 1987. In exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Government of India in the Ministry of Agriculture and Irrigation (Department of Food) published under G.S.R. No. 800, dated 9th June, 1978 the Governor of Mizoram hereby makes the following order, namely :-

THE MIZORAM TRADE ARTICLES (LICENSING AND CONTROL) ORDER, 1987.

Part - I

(Preliminary)

1. SHORT TITLE, EXTENT AND COMMENCEMENT - (1) This order may be called the Mizoram Trade Articles (Licensing and Control) Order, 1987.

(2) It extends to the whole of the State of Mizoram;

(3) It shall come into force at once.

2. DEFINITIONS - In this order, unless the context otherwise requires:-

(a) "bulk consumer" means a hotel, a restaurant, canteen, a public eating house, sweetmeat shop, a hospital and educational institution with hostel facilities or a religious or charitable institution with hostel facilities;

- (b) "coal" means coal, coke and other derivatives and includes soft coke, hard coke of various grades;
- (c) "Deputy Commissioner" means the Deputy Commissioner of a district, the Additional Deputy Commissioner and the Sub-Divisional Officer (Civil) within their respective jurisdiction;
- (d) "Commissioner" means a Commissioner of a Division;
- (e) "dealer" means a person, a firm, an association of persons or a co-operative society other than a National and State level Co-operative Society, engaged in the business of purchase, sale or storage for sale of any trade article whether or not in conjunction with any other business and includes his representative or agent but does not include -
- (i) a person who holds or is in possession of agricultural land under any tenure or any capacity and on which he raise or has raised crop of food grains, oil seeds or whole pulses in respect of his produce only,
 - (ii) a manufacturer of sugar, gur and Khandsari,
 - (iii) a producer of pulses and edible oils, and
 - (iv) an industrial undertaking which engaged in the manufacture or production of sugar/cement and which is registered or licensed under the Industries (Development and Regulation Act, 1951)
- (f) "Director" means the Director of Civil Supply, Mizoram.
- (g) "edible oils" means any one or more of the edible oils specified in part 'D' of Schedule - I.
- (h) "foodgrains" means any one or more of the foodgrains as specified in part 'A' of Schedule-I and includes products and by products of such foodgrains;
- (i) "Fair Price Shop" means any retail outlet/retail shop under the public distribution system;
- (j) "gur" means articles known as gur, joggary shaker rab and other intermediary products, prepared by boiling sugarcane juice with or without admixture or molasses;
- (k) "Importer" means a wholesaler who imports any of the articles in Schedule-I from outside Mizoram and possesses and store them for sale to wholesaler or a retailer within the State.
- (l) "Khansari" means sugar produced by open pan process;
- (m) "Licensing Authority" means the Deputy Commissioners in respect of Retailers within their district and Director, Civil Supply in respect of importers and wholesalers,

- (n) "list of prices and stock" means the list maintained from time to time by a dealer in form 'E' indicating the sale prices and stocks of the trade articles in which the dealer carries on business;
- (o) "oilseeds" means any one or more of the oilseeds as specified in part 'C' of Schedule - I;
- (p) "place of business" means any place where a dealer sells any of the trade articles held by him in stock and includes a place where the books of accounts of a dealer business are kept and where orders or offers involving purchase or sale of any trade article are received and where the dealer stores any trade article;
- (q) "price" in relation to a trade article means the amount of money inclusive of all taxes for which the dealer sells or agrees to sell or offers to sell or part with any trade article;
- (r) "producer" means a person carrying on the business of milling any of the pulses or expelling, extracting or manufacturing or refining any edible oil :-
 - (i) by buying pulses or oilseeds for being processed by himself and selling the finished products to a wholesaler or through a commission agent;
 - or
 - (ii) by doing any of the process of milling, expelling, extracting or manufacturing or refining on behalf of another;
- (s) "pulses" means any one or more of the pulses as specified in part-B of Schedule-I, whether whole or split or with or without husk and including products thereof other than husk and bran;
- (t) "retailer" means a dealer dealing in any of the trade articles mentioned in Schedule-I and who is not a wholesaler;
- (u) "Schedule" means a Schedule appended to this Order;
- (v) "State Government" means the Government of the State of Mizoram;
- (w) "Sugar" means any form of sugar including Kansari sugar containing more than 90 percent sucrose: *Cane-Sugar*
- (x) "Trade Article" means any commodity mentioned in Schedule-I and/or Schedule-II;
- (y) "Wholesaler" means a dealer who procures any one or more trade articles mentioned in Schedule-I from in and outside Mizoram and also sells the same to other dealers or bulk consumers.

PART - II
(LICENSING OF DEALERS)

3. LICENSING OF DEALERS - (1) No dealer shall, after the commencement of this Order, carry on business of purchase, sale or storage for sale of any of the trade articles mentioned in Schedule-I except under and in accordance with the terms and conditions of a licence issued in this behalf by the Licensing Authority under the provisions of this Order;

Provided that no licence shall be required for a dealer who stores for sale at any one time the trade articles, in quantities not exceeding the limits as indicated in Schedule-III to this Order or as may be prescribed by the State Government with prior concurrence of the Central Government for any trade article from time to time.

Provided further that a dealer holding a valid licence of trade articles under the various Licensing Orders mentioned in Schedule-IV may obtain a licence for the same trade articles under this Order within thirtieth day of the commencement of this Order. His existing licence shall be deemed to be a licence issued to him as a dealer under this Order upto the said day.

(2) For the purpose of this clause, any person, firm, association of persons or a Co-operative Society, who store any trade article at any one time in quantities exceeding the limits prescribed in sub clause (1), shall, unless the contrary is provided by him, be deemed to be carrying on business as dealer and to store the same for the purpose of sale.

4. ISSUE OF LICENCE - (1) (a) Every application for the grant of licence (wholesale or retail) shall be made to the Licensing Authority in Form 'A' alongwith the prescribed fee ;

(b) Every licence issued under this Order shall be in Form 'C' and subject to the terms and conditions mentioned therein;

(c) The licence shall be valid upto 31st December next; and

(d) If a licence granted under this Order is defaced, lost, or destroyed, the licence shall forthwith inform the Licensing Authority who may, on application and on the payment of prescribed fee by the licensee, issue a duplicate licence.

(2) A dealer may obtain a licence for any one or more of trade articles mentioned in Schedule-1.

(3) A separate licence shall be necessary for each place of business.

(4) Wholesale and retail licence of the same trade article shall not be obtained for the same place of business.

(5) More than one licence for the same trade article at one place of business in the same or different names shall not be obtained.

5. RENEWAL OF LICENCE — An application for renewal of a licence shall be made along with the fees determined under clause 6 to the Licensing Authority in form 'B'. The licence may be renewed for a period upto one year at a time. In case the licence fails to furnish the application along with fee within the stipulated time, i.e. 31st December, the Licensing Authority may entertain an application for renewal upto 31st January, upon the payment of late fee as specified below :

- (1) for the first fortnight Rs. 10/-
- (2) for the second fortnight Rs. 15/-

6. FEE CHARGEABLE — The fees for issue of licence for each item of article is fixed as follows, subject to modification and revision by the State Government from time to time.

FOR WHOLESALE LICENCE —

- (1) Licence fees — Rs. 50/- = 100/-
 - (2) Fees for renewal of licence — Rs. 30/- = 100/-
 - (3) Fees for duplicate copy of licence — Rs. 40/- = 100/-
- As amended

FOR RETAIL LICENCE —

- (1) Licence fees Rs. 30/- = 100/-
 - (2) Fees for renewal of licence Rs. 15/- = 100/-
 - (3) Fees for duplicate copy of licence Rs. 25/- = 100/-
- As amended

7. DEPOSIT OF SECURITY — Every dealer applying for a licence shall, before such licence is issued to him, deposit with the Licensing Authority the sum specified below in cash by way of security for due performance of the terms and conditions of the licence issued to him :—

- (i) for importer/wholesaler licence — Rs. 5000/- = 10000/-
 - (ii) for retail licence — Rs. 1000/- = 5000/-
- As amended

Provided that if the applicant for the grant of a licence as a dealer is a Registered Co-operative Society in Mizoram, the amount of security to be deposited shall be equal to one-half of the amount mentioned above.

Provided further that any wholesaler/importers who is willing to lift, carry and store any article on behalf of the State Government may be required to enter into agreement and will be required to deposit security money as may be determined by the Director of Civil Supply.

8. POWER TO REFUSE LICENCE - (1) The Licensing Authority may, after giving the person effected an opportunity of being heard, and for reasons to be recorded by him in writing refuse to grant or renew a licence.

(2) The Licensing Authority shall refuse to grant or renew a licence, if

- (a) The applicant is a minor or a lunatic or is of unsound mind or
 (b) the applicant is an undischarged insolvent; or
 (c) ~~three years period has not expired from the date of conviction of the applicant under the Essential Commodities Act, 1955 (Central Act 10 of 1955).~~
 (d) If the applicant is not a permanent resident of Mizoram.
 (e) If the applicant is a non-tribal without a valid trade licence issued under the relevant provisions of law in force in Mizoram.
- (3) The Licensing Authority shall also refuse to grant a licence for a particular trade article, if -

- (a) a licence has already been issued to another dealer at the same place of business for the trade articles for which the applicant has applied for, or
 (b) the applicant has applied for both wholesale and retail licence for the same trade article.

9. Addition and alteration to licence The Licensing Authority may make necessary additions, deletions and alteration in the entries made in the licence relating to godown, place of the business names of partners, trade articles etc. either on the application of the licensee or suo moto.

10. Contravention of condition of licence No holder of licence issued under this Order or his agent or servant of any other person acting on his behalf shall contravene any of the terms and conditions of the licence.

11. Suspension and cancellation of licence (1) If any licensee or his agent or servant or any other person acting on his behalf contravene any of terms and conditions of the licence, then without prejudice to any other action that may be taken against him under the Essential Commodities Act, 1955 (Central Act 20 of 1955) his licence may be cancelled or suspended with regard to one or more trade articles by an order in writing of the Licensing Authority and an entry will be made in his Licence relating to such suspension or cancellation.

(2) No order of cancellation shall be made under this clause unless the licence has been given a reasonable opportunity of stating his case against the proposed cancellation but during the pendency or in contemplation of proceedings of cancellation of licence, the Licence can be suspended for a period not exceeding 90 days without giving any opportunity to the licensee of stating his case, such suspension shall be limited only to those trade articles regarding which contravention has been made by the Licensee.

12. Disposal of trade articles when licence is suspended or cancelled -

When a licence issued under this order is cancelled or suspended, the stock of trade articles available with the dealer at the time of such cancellation or suspension, shall be disposed of by him within 15 days from the date of receipt of the order of cancellation or suspension.

13. CONSEQUENCES OF CONVICTION: Where a licensee has been convicted by a Court of Law for the contravention of any Order made under Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), the Licensing Authority shall, by order in writing, cancel his licence.

Provided that where such conviction is set aside in any appeal or revision, the Licensing Authority may on an application by the dealer, whose Licence has been cancelled, restore the licence to such dealer.

14. FORFEITURE OF SECURITY DEPOSIT — (1) Without prejudice to the provisions of clause II, if the Licensing Authority is satisfied that the licensee has contravened any of the terms and conditions of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case, by order, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 7, forthwith deposit, on being required by the Licensing Authority to do so, further security to make up the deficiency.

(3) Upon due compliance by the licensee of all obligations under the licence, the amount of security or such part thereof which is not forfeited as aforesaid, shall be refused to the licensee after the termination of the licence.

PART III

(Restriction relating to prices and stock etc.)

15. DISPLAY OF LIST OF PRICES AND STOCKS OF TRADE ARTICLE :

Every dealer shall, during the hours of business, display conspicuously in Form 'E' legibly written in local language a list of prices and stock of trade articles he hold at a place as near to the entrance of his business premises as possible;

Provided that numerals to be used in the list of prices and stocks shall either be in the local numerals or any international numerals.

Provided further that in case of any trade article which is out of stock instead of writing the prices thereof in the list, the word "OUT OF STOCK" shall be written in bold letters against that articles;

Provided also that the retail price of any category of trade articles, so displayed, shall not exceed that retail price, if any, fixed or recommended by the Central Government or State Government or manufacturer or distributor from time to time in respect of that category of trade article.

16. SALE OF TRADE ARTICLES ACCORDING TO LIST OF PRICES AND STOCKS

No dealer shall -

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- (i) sell or offer to sell to any person any trade article at a price higher than that specified in respect of such article in the list of prices and stocks;
- (ii) refuse to sell such article to any person at the price so specified or marked; and
- (iii) withhold from sale any trade article ordinarily kept for sale.

✓ 17. OBLIGATION TO GIVE RECEIPT - No dealer shall sell any trade article to any person without issuing a cash memo or a bill (stating his own name, quantity, quality, rate and total price charged for the article sold) and without issuing a cash memo or a bill (stating his own name, quantity, quality, rate and total price charged for the article sold) and without keeping a duplicate copy of such memo or bill.

Provided that it shall not be necessary for a dealer other than wholesaler to issue any such cash memo or bill or to keep any such duplicate copy in respect of sale of any trade article costing not more than Rs. 100/- unless demanded by the purchaser.

18. RESTRICTION ON POSSESSION OF TRADE ARTICLES -

No person shall either by himself or by any person on his behalf, store or have in his possession at any time any trade article mentioned in Schedule-I and Schedule-II in quantity exceeding the limit fixed:-

- (i) under an order issued by the Central Government; or
- (ii) by the State Government with prior concurrence of the Central Government by issuing a notification in Official Gazette from time to time.

19. REQUISITIONING OF STOCKS OF TRADE ARTICLES -

Every person holding stock of trade articles mentioned in Schedule-I and Schedule-II shall sell to the State Government or to any person or class of persons the whole or a specified part of his stock at such price and in such manner as may be specified in the order of the Deputy Commissioner or the Licensing Authority.

EXPLANATION - For the purpose of this clause the prices payable to a person who is required to sell the whole or a specified part of his stock of trade articles shall be determined by the authority concerned in accordance with the provisions of sub-section (3-B) of Section 3 of the Essential Commodities Act, 1955.

20. RETURNS - Every dealer referred to in clause 3 shall furnish a return in form 'D' to such authority and in such manner or for such period as may be specified from time to time by the State Government by notification in the official Gazette.

21. SALE ON PERMITS - The Licensing authority may by an order in writing require any dealer holding stock of a trade article to sell the whole or specified part of such article on permit issued by the Licensing Authority to a

Fair Price Shop holder or a Cooperative Society or to any other person within such period and in such circumstances as may be specified in the Order.

22. PERMIT TO BE NON-TRANSFERABLE : No holder of permit shall transfer the permit or the trade article received on such permit to any other person without prior permission of the Licensing Authority.

23. REVOCATION OF PERMIT - The Licensing Authority issuing the permit may after giving the permit holder an opportunity of being heard, at any time revoke the permit issued under clause 21 for any of the following reasons :-

- (a) that the permit has been obtained by the permit holder by misrepresentation of material particulars; or
- (b) that the provisions of this order have been contravened by the permit holder ; or
- (c) that issue of permit was, in the opinion of the Licensing Authority issuing the permit and for reasons to be recorded in writing by Licensing Authority not otherwise justified.

PART IV
(Miscellaneous)

24. POWER TO CALL INFORMATION - Every dealer shall, when so required by general or special direction of Licensing Authority furnish truthfully and to the best of his knowledge such particulars or information relating to any trade article as may be required.

25. POWER TO ISSUE DIRECTIONS - The State Government or the Deputy Commissioner or the Licensing Authority may issue directions to any dealer with regard to purchase, sale, disposal, storage or exhibition of the price and stock list of all or any of the trade articles.

26. POWER TO AMEND SCHEDULES - The State Government may, by an order notified in the official Gazette, add to or omit from the Schedules, any trade article and thereupon the Schedules shall be deemed to have been amended accordingly.

27. INHERENT POWERS OF COMMISSIONER - In addition to the power specified in this Order :-

- (a) The Commissioner shall have all the powers of the Deputy Commissioner.

28. Appeal - (1) Any person aggrieved by an order made under this order made under this order, may :-

- (a) if the order is made by the Deputy Commissioner appeal to the Commissioner/ State Government.

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- (b) If the order is made by the Director to the State Government.
- (2) No such appeal shall be entertained if not preferred within 30 days from the date of receipt of the order appealed against by the appellant.
- (3) No order which adversely affects any persons shall be passed under this clause unless such persons has been given a reasonable opportunity of being heard.
- (4) Pending disposal of the appeal, the Appellate Authority may direct that the order against which the appeal is made shall not take effect until the appeal is disposed of.

29. REVISION - The State Government suo moto or on an application may call for the record of any case decided by the Deputy Commissioner or the Licensing Authority under the provisions of this Order and if it is satisfied that the Deputy Commissioner or the Licensing Authority :-

- (a) has exercised a jurisdiction not vested in him or it, or
- (b) has exercised the jurisdiction vested in him or it with material irregularity, or
- (c) has improperly failed to exercise the jurisdiction vested in him or it and pass such order as the State Government thinks fit.

30. POWER OF ENTRY SEARCH AND SEIZURE etc. - (1) The Licensing Authority or any Executive Magistrate or Police officer not below the rank of Sub-Inspector of Police or any other officer not below the rank of Sub-Inspector of the Civil Supply Department and authorised by the State Government in this behalf within his jurisdiction, may, with a view to securing the compliance of this Order or to satisfy himself that this Order has been complied with, with such assistance, if any, as he thinks fit :-

- (a) require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which he has reason believe that any contravention of the provision of this Order has been or is or is about to be made, to produce any books of accounts or documents showing transaction relating to such contravention.
- (b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order has been, is being or is about to be made.
- (c) seize any books of accounts and documents which in his opinion may be useful for or relevant to, any proceedings under the Essential Commodities Act, 1955 (Central Act 10 of 1955) and the person shall be entitled to custody such books of accounts or documents are seized shall be entitled to make copies thereof or to take extracts there from in the presence of an officer having the custody of such books of accounts or documents.
- (d) search, seize and remove stocks of trade articles alongwith the packages covering or receptacles in which such stock is found if he has reason

believe that any provision of this Order has been or is being or is about to be contravened in respect of such stock or any part thereof and may also search, seize and remove the animals, vehicles, vessels or other conveyance used in carrying the said trade articles in contravention of the provision of this Order and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of trade article and the animals, vehicles, vessels or other conveyances so seized before the Deputy Commissioner and for their safe custody pending such production; and

(e) for the purpose of such inspection etc. ask any person all necessary questions.

(2) The provisions of Section 100 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search and seizure shall, so far as may be apply to searches and seizure under this clause.

31. SANCTION FOR PROSECUTION - No prosecution in respect of a alleged contravention of any provision of this Order shall be instituted without the sanction in writing of the Licensing Authority.

32. PENALTY - If any person contravenes any provision of this Order, he shall be punishable in accordance with the provisions of Section 7 of the Essential Commodities Act, 1955 (Act 10 of 1955).

33. EXEMPTIONS (1) The State Government may, by general or special order, and subject to such conditions or restrictions as may be specified in such order, exempt any person or class or persons, or firm or association of persons or any Co-operative Society from the operation of all or any of the provisions of this Order and may at any time suspend or rescind such exemption.

(2) Nothing in this order shall apply to the purchase, sale or storage for sale of trade articles by or on behalf of -

- (i) the Central Government; or
- (ii) the State Government; or
- (iii) the officers, departments, institutions or other organisations of the State Government or such agencies as may be approved by the State Government.

34. REPEAL AND SAVINGS (1) From the date of commencement of this Order, the Orders mentioned in Schedule IV shall stand repealed and the provisions of this Order shall have effect notwithstanding anything to the contrary contained in the Order repealed by this clause.

(2) Notwithstanding such repeal, any action taken or deemed to have been taken under this order shall, which are not inconsistent with this order shall be taken or deemed to have been taken under this Order.

Repeal of the order referred to in clause (1) shall not effect the following, namely -

- (i) the provisions operation of the said Orders or anything done or suffered thereunder,

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- (ii) any right, privilege, obligation or liability acquired, accrued or incurred under the said order, or
acquired, accrued or incurred under the said Order, or
- (iii) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Orders, or,
- (iv) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, legal, proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the said Orders have not been repealed,

By order and in the name of
the Governor of Mizoram.

(Vanbela Pachuau)
Secretary to the Govt. of Mizoram,
Civil Supply Department,

SCHEDULE I

PART 'A' (FOODGRAINS)

- 1. Rice
- 2. Wheat/Atta

PART 'B' (PULSES)

- 1. Urad
- 2. Moong
- 3. Arhar
- 4. Masoor
- 5. Mukhtikalai
- 6. Lobia
- 7. Peas
- 8. Gram
- 9. Rajmaha
- 10. Any other dal.

PART 'C' (OIL SEEDS)

- 1. Mustard
- 2. Rapeseed.
- 3. Til
- 4. Groundnut.

PART 'D' (EDIBLE OILS)

- 1. Mustard Oil
- 2. Rapeseed Oil
- 3. Groundnut Oil
- 4. Til oil
- 5. Hydhydrogenated Vegetable oil
- 6. Coconut oil
- 7. Imported edible oils.

PART 'E' (OTHER ARTICLES)

- 1. Sugar
- 2. Salt
- 3. Kerosene oil
- 4. Petroleum products including Liquified Petroleum Gas (LPG).
- 5. Cement
- 6. Coal.

SCHEDULE -II

- 1. Gur
- 2. Milk Powder
- 3. Tinned milk
- 4. Baby Food
- 5. Horlicks, Viva
- 6. Butter
- 7. Baker's Bread.
- 8. Cells for torches and transistors
- 9. Matches
- 10. Toilet soaps
- 11. Washing soap and detergent
- 12. Petrol and High Speed Diesel, ex-pump and Motor oils in sealed tins.
- 13. Paper (all varieties)
- 14. Tyres and tubes of all types
- 15. General lighting service Lamps
- 16. Hurricane lanterns.
- 17. Exercise Books
- 18. Electric cables and wires
- 19. Tea
- 20. Yarn made wholly or in part with any of the following materials viz.
 - (i) cotton
 - (ii) Wool
 - (iii) Man-made cellulosic or non-cellulosic fibre; and
 - (iv) Silk
- 21. Fertilizer

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SCHEDULE III

Trade articles collectively for all varieties of each kind.

Quantum not requiring any dealing licence.

- 1. Rice. 5 quintals.
- 2. Wheat and wheat products 5 quintals.
- 3. Sugar 2 quintals.
- 4. Pulses 10 quintals
- 5. Edible oils hydrogenated vegetable oil 10 quintals
- 6. Edible oilseed including groundnut in shell. 40 quintals ✓
- 7. Salt 50 quintals
- 8. Kerosene oil 50 litres

(LIST OF ORDERS REPEALED)
(Schedule - IV)

- 1. The Mizoram Rice (Licensing & Control) Order, 1976.
- 2. The Mizoram Pulses, Edible Oil seeds and Edible oil Dealers Order, 1978.
- 3. The Mizoram Salt Dealers (Licensing and Control) Order, 1981.
- 4. The Mizoram Cement Dealers Licensing Order, 1973.
- 5. The Mizoram (Display of Prices and Stocks of Essential C Order, 1977.

FORM 'A'

(See Clause 4 (1)(a)) ✓

APPLICATION FOR GRANT OF IMPORTERS/WHOLESALE/RETAIL LICENCE.

The Licensing Authority,

Sir,

I hereby apply for the grant of a Retail/Wholesale/licence under Trade Articles (Licensing and Control) Order, 1987. The required

given hereunder :

(1) Applicant's particular.....
Name.....S/o.....Age.....

(2) Residential address of a applicant.
(a) Village/Town.....(b) Police
Station.....District.....

(3) Name on which licence is required.....

(4) Situation of applicant's place of business.....
(a) House/Shop No.&.....(b) Market.....
(c) Village/Town.....(d) Police Station : ..
(e) District.....

(5) Name of partners, if any of the firm —

- (1) Shri S/o Age Address
- (2) Shri S/o Age Address
- (3) Shri S/o Age Address
- (4) Shri S/o Age Address

(6) Particular of trade articles in which the applicant wants to carry on business.

As a Importer	As a Wholesaler	As a Retailer
1.	1.	1.
2.	2.	2.
3.	3.	3.
4.	4.	4.

(7) Did the applicant previously hold a licence of the trade articles for which licence has now been applied for, if so, give details :

- (i) Name of trade article (s) :
- (ii) Licence No.

(8) How long has the applicant been trading in the trade articles for which the licence has been applied for ?

(9) Particulars regarding stock of trade articles in possession on the date of application.

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(10) Complete address (with House No/Market etc) of godowns or place where trade articles for which licence has been applied will be stored :-

- (1)
- (2)
- (3)
- (4)

(11) Has the applicant ever been convicted by a Court of Law for contravention of any Order issued under Essential Commodities Act, 1955 during the last 3 years.

(12) Particulars of suspension or cancellation of the licence held the applicant during last 3 years.

(13) Whether the applicant was declared or adjudged as an insolvent by a Court ?

I ... declare that the particulars mentioned at item No. 1 to 13 above are true to the best of my knowledge and belief and nothing has been concealed therein.

I have carefully read the provisions of the Mizoram Trade Articles (Licensing and Control) Order, 1987 and I agree to abide by them.

Place
Date

SIGNATURE OF PROPRIETOR/PARTNER

FORM 'B'

(See Clause 5)

APPLICATION FOR RENEWAL OF LICENCE NO

The Licensing Authority.

I hereby apply for renewal of my Licence No. issued to me under the Mizoram Trade Articles (Licensing and Control Order, 1987. The required particulars are given below :-

- (1). Date on which the licence expires.....
- (2) Name in which the licence stands.....
- (3) for how many years the renewal is desired.....
- (4) Details of the action, if any, taken against the licence during the last three years for contravention of an Order issued under the Essential Commodities Act, 1955.....

I hereby declare that the particulars mentioned above are correct to the best of my knowledge and belief, and nothing has been concealed therein.

Place

Date

SIGNATURE OF APPLICANT

FORM 'C'

(See Clause 4 (1) (b))

THE MIZORAM TRADE ARTICLES (LICENSING AND CONTROL) ORDER, 1987
LICENCE

- (i) Licence No. Wholesale/Retail/Importer.
- (ii) Security deposited Rs. vide challan No. and Date
- (iii) Name of dealer along with partners, if any.
 - (1)
 - (2)
 - (3)

hereby authorised to purchase, sell or store for sale the undermentioned trade articles -

TERMS AND CONDITIONS

1. Subject to the provisions of the Mizoram Trade Articles (Licensing and Control) Order, 1987 and to the terms and conditions of this licence, Mr/ M/S is/are hereby authorised to purchase, sell or store for sale the undermentioned trade articles.

As Importer	As Wholsaler	As Retailer
(1)	(1)	(1)
(2)	(2)	(2)
(3)	(3)	(3)
(4)	(4)	(4)
(5)	(5)	(5)

- 2. (a) The licence shall carry on the business of aforesaid trade articles at the following place :
- (b) Trade articles in which the aforesaid business is to be carried on shall not be stored at any place other than the godown mentioned below :

- (1).....
 (2).....
 (3).....
 (4).....
 (5).....

Note : If the licensee intends to store the trade articles in places other than those specified above, he shall give intimation in writing to the Licensing Authority within a period of seventy two hours of actually storing of these trade articles therein. He shall also produce the licence before the Licensing Authority within a fortnight of his giving intimation mentioned above, for the purpose of making requisite changes.

3. (a) The Licensee shall maintain a stock register of daily accounts in form 'F' for the trade articles mentioned in paragraph 1 showing correctly :-

- (i) the opening stock on each day;
- (ii) the quantities received on each day showing the place from where and the source from which received;
- (iii) the quantities delivered or otherwise removed on each day showing the place of destination; and
- (iv) the closing stock on each day.

EXPLANATION : The licensee may maintain more than one stock register for the various trade articles and may allot separate page (s) for each trade article.

(b) The licensee shall enter all the transactions held on telephone or through Billity or otherwise relating to purchase or sale of trade articles in the stock register. In case the purchased trade articles are not received physically by the licensee on the date of entering into any transaction, a note shall be recorded in this behalf in the stock register.

(c) The quantities of the various trade articles shall be entered in the stock register as under :-

- (i) Food-grains, sugar, gur, Khandsari, In Qtls. or Kgs.
oilseeds and pulses
- (ii) Edible oils .. In tins/Kgs.
- (iii) Kerosene oil .. In litres.

(b) The licensee shall complete the entries in the stock register for each day latest by the beginning of the transactions on the following day, unless prevented by reasonable cause, the burden of proving which shall lie upon him.

(e) A licensee, who himself is a producer of foodgrains, oilseeds or whole pulses, shall separately show the stocks of his own produce in the stock register, if such stocks are stored in his own produce in the stock register, if such stocks are stored in his business premises:

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4. The licensee shall not contravene the provisions of this Order or any other law relating to essential commodities for the time being in force.

5. The licensee shall not

(i) enter into any transaction involving purchase, sale or storage for sale of trade articles in speculative manner prejudicial to the maintenance and easy availability of their supplies in the market

(ii) sell or offer to sell any trade articles at a price higher than that specified in respect of such article in the list of prices and stocks;

(iii) refuse to sell to any person any trade articles kept for sale at the price specified in the list of prices and stocks; and

(iv) keep in his possession stocks of trade articles exceeding the limit fixed under clause 18.

6. The licensee shall display conspicuously in form 'E' legibly written in local language a list of prices and stocks of the trade articles he deals with in accordance with the provisions of clause 15.

7. The licensee shall issue to every customer of such trade articles a cash memo or invoice, as the case may be, giving his own name and licence No. Name, address and licence number (if any) of the customer, the date of transaction, the quantity sold and the price charged. He shall keep a duplicate of the same to be available for inspection on demand by the Licensing Authority or any other officer authorised in this behalf.

8. The licensee shall furnish correctly such information relating to the business as may be demanded from him and shall carry out instructions as may, from time to time, be given by the Licencing Authority.

9. The licensee shall give all facilities at all reasonable times to the inspecting authority for the inspection of his stocks and accounts at any shop, godown or other places used by him for the storage, sale or purchase and for the taking of samples of the trade articles mentioned in paragraph 1 for examination.

10. The licensee shall comply with any direction that may be given to him by the State Government or the Deputy Commissioner of the Licensing Authority with regard to the purchase, sale and storage for sale, of these trade articles and in regard to the language in which the registers, returns, receipts of invoices shall be written and in regard to the authentication and maintenance of the register mentioned in paragraph 5 above.

11. The Licensee shall, in case when the functions in a regulated market, abide by such instructions relating to his business as are given by the marketing authority having jurisdiction, and in any other case by such body as may be recognised by the State Government in this behalf.

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12. Every licensee shall take adequate measures to ensure that the trade articles stored by him maintained in proper condition and that damages to these articles due to ground moisture, rains, insects, rodents, birds, fire and such other causes are avoided. The licensee shall also ensure that fertilizers, insecticides and poisonous mechanicals likely to contaminate such articles are stored along with these articles in the same godowns or in immediate juxtaposition to the stocks of the trade articles.

13. (i) The licensee shall supply or sell the trade articles to the consumer or dealer in the same quantity or weight and at a price marked on the container/package, but if any shortage limit is allowed by any Order of the Central Government or State Government the same will be deducted from the marked quantity or weight.

(2) The licensee shall keep open his shop premises on all days excepting the public holidays.

Provided further that the Licensing Authority may be an order in writing permit any licensees to keep his shop premises closed on any day other than any of the above mentioned holiday.

14. This license shall be attached to an application for renewal.

15. This license shall be valid upto 31st December 19....

Place.....

Date.....

(Licensing Authority)

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Rukhsar
FORM 'D'

Return for the period _____ Name _____ Licence No. _____
Wholesale/Retail

Sl. No. article	Stocks at the beginning of fortnight/ week/month.	Stock purchased or otherwise received during the week/fortnight month.	Stock sold or otherwise removed during the week/ fortnight month.	Stock at the end of the week/ fortnight month.	REMARKS.	
1	3	4	5	6	7	8

1	2	3	4	5	6	7	8
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Place _____ Date _____ The Licensing Authority _____ Signature _____

- N.B.
- I. Weight is to be entered in quintal/Litres/tonne.
 - II. Goods pledged with Bank, Cooperative Society etc. are also to be included in the above figures and note be given in remarks column.
 - III. Fraction need not be mentioned. Figures may be rounded off to the nearest quintal/ Litre/tonne.
 - IV. Small packs of Hydrogenated Vegetable oil. Edible oil or gur etc. may be first converted into — H. etc. and then included in this return.

Not to be given in case of a person having no licence.

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12/11

FORM 'E'

(See Clause 15)

List of prices and stocks of Trade articles

Name of Dealer..... Date.....

Sl. No.	Name of the trade articles.	Price of each trade articles	Stock of trade articles at the beginning of the day.	REMARKS.
1	2	3	4	5

N.B. (i) Each quality/make of the trade article should be shown separately so as to indicated the separate price quality/make.

(ii) In fourth column of above list, if a trade article other than oilseeds, pulses, kerosene oil Edible Oils is in stock, the words "Available" be written, and if a trade articles is out of stock, the words "Out of Stock" be written by a dealer.

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FORM 'F'

(See condition 3 of the Licence)

STOCK REGISTER

NAME OF TRADE ARTICLE.....

Remarks.

Place of Closing destination balance.

Source of total (Col. 2&3). Deliveries/sales.

Date. Opening Receipt. Balance.

8

7

6

5

4

3

2

1

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