

THE ASSAM PADDY

(DECLARATION OF STOCK AND REQUISITION)

ORDER, 1984

No. SDB. 38/84/2. - Whereas it is expedient for the maintenance of supply of paddy or rice or both and also securing the ***** distribution and availability thereof at fair prices :

No ** therefore, it exercise of the powers conferred by sub-section (1) of Section 3 of the Essential Commodities Act, 1955 (Act No. 10 of 1955) read with Notification No. GSR. 800, dated 9th June, 1978 issued by the Government of India, Ministry of Agriculture (Department of Food) under Section 5 of the said Act, and with prior concurrence of the Government of India, the Government of Assam hereby makes the following order.

1. Short title, extent and commencement : -

- (1) This Order may be called the Assam Paddy (Declaration of Stock and Requisition) Order, 1984.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

2. Definition

- (a) **“Government”** means the State Government of Assam
- (b) **“Deputy Commissioner”** means the Deputy Commissioner and the Additional Deputy Commissioner within their respective jurisdiction.
- (c) **“Subdivision Officer”** means Sub divisional Officer of the Subdivision.

3. Any person holding sock of paddy excess of 50 quintals in or under his possession shall declare that stock before the Deputy Commissioner or the Subdivision Officer of the District or Sub-Divisional as the case may be every fortnight on the 1st and 15th of each month in Form ‘A’ which shall reach the Deputy Commissioner or Sub-divisional Officer within 3 days after the close of the fortnight. Provided that sale from the stock so declared shall be made only to licened dealers and millers when the sale is for quantities above ten quintals of paddy.

4. The Deputy Commissioner or the Sub-divisional Officer may requisition such stocks of paddy or a part thereof as my be deemed necessary from the stock-holder after allowing such quantity as may be found reasonable for normal consumption and for agricultural purposes of the stock holder at any time.

5. On receipt of such requisition from the Deputy Commissioner or the Sub-divisional Officer concerned the stock holder shall deliver the quantity of paddy as per direction of the Deputy Commissioner or the Sub-divisional Officer concerned failing which the quantity of paddy so requisitioned shall be seized or taken possession of by the Deputy Commissioner or the Sub-divisional Officer concerned.
6. The Deputy Commissioner or the Sub-divisional Officer re-questioning such stock shall arrange to make full payment of the value of paddy to the stock-holder from whom the stock is requisitioned at the time of taking delivery of the paddy calculated at the procurement price of paddy fixed by Government under the Assam Paddy and Rice (Levy and Licensing) order, 1983.
7. Any person aggrieved by the order of the Deputy Commissioner or the Sub-divisional Officer may appeal to the Commissioner of the Division concerned within 10 days of the issue of such order and the order of the Commissioner of Division shall be final.
8. **Power of Entry, Search, Seizure etc.** – Any Executive Magistrate, or Police Officer not below the rank of Sub-Inspector of Police or officers of the Food and Civil Supplies Department not below the rank of Sub-Inspector to Supply may, with such assistance, if any, as he thinks fit :
 - (a) Require the owner, occupier or any other person in-charge of any place, premises, vehicles or vessels in which he has reason to believe that paddy had been stored in contravention of this order to produce such stock of paddy.
 - (b) Enter, inspect or break open and search any place of premises, vehicle or vessel where he has reason to believe that stock of paddy has been stored in contravention of the provisions of this Order.

- (c) Call for or seize any books of accounts and documents which in the opinion of such, may be useful for, or relevant to any proceeding under this Order and the person from whose 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 of documents:

The provision of Section 100 of the Code of Criminal Procedure Act, 1973, relating to search and seizure, shall apply to search and seizure under this clause.

- 3. Penalty** – Any person contravening any provision of this Order or any direction issued under this Order shall be punishable in accordance with Section 7 of the Essential Commodities Act, 1955.

FORM - A

(Classes 3)

Declaration of stock of Paddy

Under Clause 3 of the Assam Paddy and levy (Declaration of Stock and requisition) Order 1984. I declare that I hold the following stock of Paddy at the place mentioned below at the end of the 1984.

**Location of the strong place
Quantity Stored.**

Paddy

Name & address of the Stock - holder

I declare that the information furnished above are true to the best of my knowledge and belief.

Signature of the Stock holder.

**K. BORA.
Secretary to the Govt. of Assam,
Food & Civil Supplies Deptt.**