

**Government of West Bengal**  
**Department of Food and Supplies**  
**11/A, Mirza Ghalib Street, Kolkata-700087**

No. 53 -FS/Sectt/Food/4P-12/2014

Dated: 06/01/2016

From: The Joint. Secretary to the  
Govt. of West Bengal.  
Food & Supplies Department.

To : Sri Manoj Kumar Gupta.  
Director(Py.III)  
Ministry of Consumer Affairs,  
Food and Public Distribution,  
Department of Food and Public Distribution,  
Krishi Bhavan, New Delhi- 110001

Sub:- The West Bengal Custom Milled Rice (Obligation & Control) Order, 2015.

Ref:- Your letter bearing no.6/1/2007-Py.III dated 15.12.2015

Sir,

With reference to above I am directed to send herewith five copies of the West Bengal Custom Milled Rice (Obligation & Control) Order, 2015 as desired by you, in your letter under reference.

Encl: As stated

Yours faithfully,

*sdf*

Joint Secretary,  
Food & Supplies Department.

No. 53/1 (28)-FS

Dated: 06/01/2016

Copy with the copy of the West Bengal Custom Milled Rice (Obligation & Control) Order, 2015 forwarded for information and necessary action to:-

1. The Director of DDP&S, Food & Supplies Department
2. The Director of Finance, Food & Supplies Department
3. The Director of Rationing, Food & Supplies Department

The  
Kolkata Gazette  
सत्यमेव जयते

Extraordinary  
Published by Authority

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THURSDAY, DECEMBER 31, 2015

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**

**Department of Food and Supplies**

**11A, Mirza Galib Street, Kolkata-700 087.**

No 3774-FS/Sectt./Food/4P-12/2014

Kolkata, the 30th December, 2015

**NOTIFICATION**

WHEREAS the State Government undertakes purchase of paddy at Minimum Support Price directly from the farmers in its effort to ensure fair and remunerative price to farmers and avoid any distress sale;

AND WHEREAS the Governor is of opinion that it is necessary and expedient to provide necessary provisions for procurement and maintaining supplies of rice and for securing its equitable distribution and availability at fair prices to agencies of the State Government by the Custom Milled Rice agency;

AND WHEREAS concurrence of the Central Government in the Ministry of Consumer Affairs Food & Public Distribution, Department of Food & Public Distribution, Krishi Bhavan, New Delhi, in this respect has been obtained by the State Government vide No. 6/1/2007-PY.III, dated 15th December, 2015;

Now, therefore, in exercise of the power conferred by section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), the Governor is pleased hereby to make the following Order: –

**1. Short title, extent, commencement and application. –**

- (1) This Order may be called the West Bengal Custom Milled Rice (Obligation & Control) Order, 2015.
- (2) It will extend to the whole of West Bengal.
- (3) It shall come into force at once.
- (4) It shall apply to all Rice Millers operating in the State of West Bengal.

**2. Definitions. –** In this Order, unless the context otherwise requires,–

- (a) “Act” means the Essential Commodities Act, 1955 (10 of 1956);
- (b) “Centralised Procurement Centre” means *Kishan Mandis*, godowns constructed under RIDF scheme and such other centre as may be notified by the State Government from time to time;

- (c) "Collector" means the District Magistrate of a district and includes such other officers of the State Government posted in the district as may be authorized by State Government to perform all or any of the functions of the Collector under this Order;
- (d) "Custom milling" means milling of paddy, not belonging to the miller, in his mill on payment of milling charges;
- (e) "Custom Milled Rice" means rice produced through custom milling of paddy procured and delivered to selected rice mills by designated agency of the State Government;
- (f) "designated agency" means following agencies of the Government of West Bengal, duly empowered to procure paddy in such manner and on such conditions, as specified in this order, namely, –
- (i) the West Bengal Essential Commodities Supply Corporation Ltd. (WBECS),
  - (ii) the West Bengal State Cooperative Marketing Federation Ltd. (popularly known as BENFED),
  - (iii) the West Bengal State Consumers Cooperative Federation Limited (CONFED),
  - (iv) the National Agricultural Cooperative Marketing Federation of India Ltd. (NAFED),
  - (v) the National Cooperative Consumers' Federation of India Ltd. (NCCF),
  - (vi) National Federation of Farmers' Procurement, Processing and Retailing Cooperatives of India Ltd. (NACOF);
  - (vii) *Paschim Banga Agri Marketing Corporation*;
  - (viii) any other organisation as may be engaged by State Government for the purpose;
- (g) "Direct Purchase Camp" means a purchase centre where paddy is purchased directly from farmers at a price not below Minimum support price (Minimum Support Price) by any Custom Mill Rice agency;
- (h) "Director" means the Director of District Distribution, Procurement and Supply, Department of Food and Supplies, Government of West Bengal and includes the Regional Joint Director, Joint Director, Deputy Director, Assistant Director, District Controller, Assistant District Controller and Sub-divisional Controller of Food and Supplies in the said Department;
- (i) "distress sale" means distress sale of paddy of Fair Average Quality sold in open market below Minimum Support Price;
- (j) "District Level Monitoring Committee" means the Committee constituted under clause 10 of this order;
- (k) "Food Corporation of India" means the Food Corporation of India established under the Food Corporation Act, 1964 (37 of 1964), and includes officers and agents acting through its for the purpose of this Order;
- (l) "*Kishan Mandi*" means and includes a permanent *mandi* set up by the Agricultural-marketing Department or Agriculture Department for the purpose of purchase of paddy from farmers directly;
- (m) "Minimum Support Price" means minimum support price of paddy of Fair Average Quality, as fixed by Government of India, to be paid to the farmers while procuring paddy from the farmers either by the designated agencies or Food Corporation of India for a particular Kharif Marketing Season.
- (n) "notification" means a notification published in the *Official Gazette*;
- (o) "paddy" means paddy of the varieties described on Schedule – IV,
- (p) "Procurement Price" means the procurement price specified in clause 13 of this order;
- (q) "Purchase Officer" means an officer appointed by or under the authority of the State Government or Designated Agency or the Food Corporation of India and includes such other agency or person duly authorised in this behalf by the State Government, who purchase paddy from farmers and to collect resultant rice from rice millers as may be directed by the State Government;
- (r) "Procuring Society" means a society registered under the West Bengal Societies Registration Acts, 1961, PACS, Agricultural Co-operative Society, Thana Marketing Co-Operative Societies, Self Help Groups or cluster of Self Help Groups working in rural areas and registered with Custom Mill Rice agencies as per existing procedure;
- (s) "rice" means rice produced or manufactured with power out of paddy, and includes broken rice (*khud*) but does not include '*Chira*', '*Muri*' and '*Khoi*'.

- (t) "Rice Mill" means the plant and machinery including the premises thereof in which or in any part of which operation of milling of paddy and storing of resultant rice are made;
- (u) "Rice Miller" means the owner of a rice mill established by a company duly registered under the Companies Act, a registered partnership firm or any individual or any other legal entity or a lessee i.e. who has taken over the rice mill from the original owner on lease for a period not less than 12 (twelve) months by way of a registered lease deed;
- (v) "Rice of Fair Average Quality" means rice, the quality which indicated in Schedule-II containing admixture of impurities within the maximum limits specified in column (3) of the said Schedule;
- (w) "Schedule" means a Schedule appended to these Orders;
- (x) "State Government" means the Government of West Bengal in Food & Supplies Department;
- (y) "Sub-division Level Monitoring Committee (Sub-Division Level Monitoring Committee) means the Committee constituted under clause 12.
- 3. Selection of rice mill for custom milling of paddy. – (1)** Paddy purchased by the Custom Mill Rice agencies shall be custom milled by the selected rice millers of the State on contractual basis as per provisions of this Order.
- (2)** (a) For being eligible for custom milling, rice millers shall have to apply along with relevant information as may be provided for in the guidelines in pursuance to this Order.
- (b) After verification of the genuineness of those information supplied by the rice millers, the Custom Mill Rice Agency may select optimum number of rice mills subject to fulfilment of eligibility criteria as may be fixed by the Custom Mill Rice Agency with the concurrence of State Government depending upon availability of paddy in a particular area, number of rice mills operating, requirement of rice for Targeted Public Distribution System in that district etc.
- (2) The option for registration is available to all the functioning rice mills of the State to apply and to get registered with the Custom Mill Rice agencies:
- (3) (a) If any rice mill is unwilling to do so and the State Government feels that the demands of paddy procurement needs the milling facility, it may assign such milling to a unwilling rice mill up to 30% of its capacity for which the said rice mill shall be bound to accept paddy and deliver resultant rice to State Government or to the Food Corporation of India as per norms prescribed in the order.
- (b) Such rice mills, in turn, shall be entitled to get the milling charges and other fees as would be admissible as per relevant Government order and such payment shall be made by the concerned Custom Mill Rice Agency.
- 4. Paddy to conform the specification. –** All paddy purchased by the State Government or its designated agencies or the Food Corporation of India shall conform to the specifications laid down in Schedule I of these Orders.
- 5. Mode of purchase of paddy by Custom Mill Rice agencies. –** Every designated agency shall, with the approval of the State Government, purchase paddy at a price, not below Minimum Support Price, from farmers following one or all mechanism, as mentioned herein below: –
- (i) Paddy purchase through Centralised Procurement Centres;
- (ii) Paddy purchase by organising Direct Purchase Camps;
- (iii) Paddy purchase through Co-operative Societies / Procuring Societies;
- (iv) Paddy purchase at Mill-gates directly by Custom Mill Rice agencies.
- 6. Purchase of paddy through Direct Purchase Camps. –** Direct Purchase Camps shall be organised by Custom Mill Rice Agency to purchase paddy directly from farmers in areas not covered otherwise and as per need of the area specially to prevent distress sale of paddy.
- 7. Purchase of Paddy at Mill-gates by Custom Mill Rice Agencies. – (1)** If the situation so warrants the Sub-Division Level Monitoring Committee / District Level Monitoring Committee shall, with the approval of the State Government, allow purchase of paddy at Mill-gates directly from farmers at Minimum Support Price and in such cases the concerned mill shall not purchase at its own account during such operation.
- (2)** The State Government may issue guidelines for the purpose of the operation of purchase of paddy at mill gates by Custom Mill Rice agencies.

