

PN-ABZ-102

INTERNATIONAL FOOD POLICY RESEARCH  
INSTITUTE  
BANGLADESH FOOD POLICY PROJECT  
DHAKA

91468

ANNEXURE - VOLUME - II

ACTS, ORDERS, NOTIFICATIONS,  
CIRCULARS ETC RELATING TO MOVEMENT  
AND CONTROL OF FOODGRAINS

HISTORY OF THE MINISTRY OF FOOD  
GOVERNMENT OF BANGLADESH

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JUNE, 1994.

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## NOTIFICATION

No.4309 F.G-30th November 1943 - In exercise of the powers by sub rule (2) of rule 81 of the Defence of India Rules the Governor is pleased to make the following Order, namely :-

THE BENGAL <sup>RICE</sup> MILLS CONTROL ORDER, 1943

1. (1) This order may be called the Bengal <sup>Rice</sup> Mills Control Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the 20th December, 1943.

2. In this Order unless there is anything repugnant in the subject or context -

(a) "Provincial Government" means the Government of East Bengal and includes any officer authorized by it to perform all or any of the functions of the Provincial Government under this order;

(b) "Milling" means by any process of manufacture whereby the husk is removed from any foodgrain and includes any such process whereby unhusked rice is polished.

3. No person shall carry on the business of milling rice or of manufacturing rice products by power driven machinery except under and in accordance with the conditions of a license issued in this behalf by the Provincial Government.

3. A. The provincial Government may, from time to time, by notification in the Official Gazette, specify the fee which may be charged for the grant or renewal of any license issued under this Order or for the issue of a duplicate license if the original one is defaced, lost or destroyed, and the manner in which such fee shall be paid and limit the period of validity of the license.

4. Applications for licenses under paragraph 3 shall be made to the Provincial Government in Form I set out in the Schedule to this Order and licenses issued under the said paragraph shall be in Form II set out in the Schedule.

4. A. No person being the holder of a license issued under this Order, shall subject any foodgrain other than rice in the husk to the process of milling or crush any seeds in the rice mill in respect of which such license has been issued except under a permit granted in this behalf by the Provincial Government.

B. Every license shall, along with the fortnightly return in

Form III, submit a separate statement in Form IV declaring where the godowns in which his stocks of rice or paddy are kept are situated and also the quality of rice or paddy kept at each godowns.

5. If any person contravenes any provisions of this Order or any of the conditions of a license issued under paragraph 3, then, without prejudice to any other action that may be taken against him under the Defence of India Rules, his license may be cancelled or suspended by the Provincial Government.

6. (1) Every owner or Manager of a Rice mill shall comply with such directions regarding the purchase, sale or distribution of rice husked or in the husk, as may be given to him from time to time by the Provincial Government.

(2) Every owner or Manager of a Rice Mill, notwithstanding any existing agreement with any other person, give priority to and comply with any directions issued to him under sub clause (1).

7. No owner or Manager of a Rice Mill shall in any circumstances -

(a) subject to milling, or manufacture any rice product from, any unhusked rice brought to him for any such purpose by any person, except under a permit granted in this behalf to such owner or manager by the Provincial Government;

(b) make delivery or cause delivery to be made of any rice husked in any manner or of any rice in the husk or of any rice product to any person unless -

(i) either such person or such owner or manager holds a permit granted in this behalf by the Provincial Government; and

(ii) such delivery is made in accordance with the terms of such permit;

(c) move or cause to be moved any rice husked in any manner or any rice in the husk or any rice product from the premises of the rice mill to any place outside such premises except under and in accordance with the terms of a permit granted in this behalf by the Provincial government.

7. A. Where an agreement has been entered into by the Provincial Government or by any agent of the Provincial Government with any person holding a license issued under this Order for the purchase of any quantity of rice husked, such person shall give priority to the agreement so entered into and delivered the entire quantity of rice

husked mentioned in the agreement to the Provincial Government or such agent, as the case may be, within the period stipulated in the agreement.

B. No person, being holder of a license issued under this Order shall purchase any quantity of paddy in any area other than an area to be endorsed in this behalf on the license by the Provincial Government.

8. Any court trying any contravention of this Order -

(1) may, without prejudice to any other sentence which it may pass direct that any property other than an article of food together with the packages and containers thereof in respect of which the court is satisfied that the contravention has occurred shall be forfeited to His Majesty; and

(2) shall, without prejudice to any other sentence which it may pass, direct that any article of food together with the packages and containers thereof in respect of which the court is satisfied that the contravention has occurred shall be forfeited to His Majesty, unless for reasons to be recorded in writing the court is of opinion that the order should not be made in respect of the whole, or, as the case may be, a part, of the property.

SCHEDULE

FORM I

(See paragraph 4)

Form of application for license

- 1. Applicant's name and address .....
- 2. Place where the mill is situated (name of the mill, if any) and postal address of the mill .....
- .....

I declare that I am Proprietor/ Manager of the Rice Mill covered by this application. I have carefully read the Bengal Rice Mills Control Order, 1943, and the conditions of the license in Form II set forth in the Schedule to the said Order and I agree to abide by them.

Date .....

Signature of the applicant.

FORM II

(see paragraph 4)

Subject to the provisions of the Bengal Rice Mills Control order, 1943, and to the terms and conditions of the license ....

..... is/ hereby authorized to carry on the business of milling rice manufacturing rice products/ milling rice and manufacturing rice products.

2. The license shall carry the aforesaid business at the following place .....

Note. - Where the same person carries on business of milling rice and/ or manufacturing rice products in more than one place, a separate license shall be obtained in respect of each such place and the return referred to in paragraph 3 shall be submitted for each such place.

3. The license shall submit to the Provincial Government returns in Form III set out in the Schedule to the Bengal Rice Mills Control Order, 1943, every fortnight (from the 1st to 15th and 16th to the end of each month) so as to reach the Provincial Government within five days after the close of the fortnight.

4. The license shall subject rice husked or in the husk to such process and in such manner and to such extent as the Provincial Government by general or special order from time to time direct.

5. The license shall comply with any directions that may be issued by the Provincial Government from time to time in regard to the manner in which his accounts and registers shall be maintained and the language in which his accounts, registers and returns shall be written.

6. The license shall give all facilities at all reasonable time to any person authorized by the Provincial Government for the inspection of his accounts and stocks of paddy and rice wheresoever they may be kept and for taking samples of such paddy and rice for examination and for the holding of milling tests.

Date .....

Signature of the officer issuing the license.

FORM III

(See paragraph 3 of Form II)

Returns of stocks, receipts, productions, deliveries and balance of paddy and rice for the fortnight ending .....

Name ..... License Number .....

Address .....

Daily milling capacity .....

Particulars	Quantities in maunds			
	Paddy	Rice	Broken rice	Bran.

- (1) Stock at the beginning of the fortnight
- (2) Quantity of paddy received for milling during the fortnight.
- (3) Total (for paddy only)
- (4) Quantity of paddy actually milled during the fortnight.
- (5) Quantities of rice, broken and bran produced by milling the quantity in item 4.
- (6) Total of item 1 & 5 (rice, broken rice & bran)
- (7) Quantities sold or otherwise disposed of during the fortnight
- (8) Stock at the end of the fortnight.

Signature of the Licensee

FORM IV

(See rule 4B)

Form of statement declaring the situation of the godowns in which rice

or paddy is stocked.

1	2	3		4
Name of the licensee	Address of the godown where rice or paddy is stocked	Rice	Paddy	Remarks

I hereby declare that the particulars given above are correct to the best of my knowledge and belief.

Signature of the licensee.



## FORM OF AGREEMENT WITH RICE MILLS

Articles of agreement made and entered into at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ between the Governor of the Province of East Pakistan hereinafter referred to as Government of East Pakistan on one part and \_\_\_\_\_ of \_\_\_\_\_ P.S. \_\_\_\_\_ District \_\_\_\_\_ carrying on business of Rice Milling at \_\_\_\_\_ in the district of \_\_\_\_\_ on the other part.

## DEFINITIONS

"Secretary" means the Secretary to the Government of East Pakistan in the Food and Agriculture (Food) Department and includes any officer duly authorized by him in this behalf.

"Director" means the Director of Procurement, Distribution and Rationing, Food and Agriculture (Food) Department, Government of East Pakistan or any other officer authorized by Government in this behalf.

"District Controller of Food" means the District Controller of Food of the Food and Agriculture (Food) Department, Government of East Pakistan.

"Assistant Director of Movement and Storage" means the Assistant Director of Movement and Storage of the Food and Agriculture (Food) Department, Government of East Pakistan.

"Directorate of Inspection and Control" means the Directorate of Inspection and Control of the Food and Agriculture (Food) Department, Government of East Pakistan.

"Subdivisional Controller of Food" means the Subdivisional Controller of Food and Agriculture (Food) Department, Government of East Pakistan.

"Storage and Movement Officer" means the Storage and Movement Officer of the Central Storage Depots of the Food and Agriculture (Food) department, Government of East Pakistan.

"Carrying Contractor" means the Carrying Contractor appointed by the Directors of Procurement, Distribution and Rationing and Movement and Storage, Food and Agriculture (Food) Department, Government of East Pakistan.

"Miller" shall, unless contrary or repugnant to the context be deemed to include the partner or partners for the time being of the said firm, their respective heirs, executors, administrators, successors,

representatives and assignees.

"Grain" means rice and/or paddy.

"Stock" means grains and gunnies.

"Maund" means a weight of 40 seers, each seer containing eighty tolas.

Whereas the Government has agreed to appoint the Miller for Milling Government paddy, it is now mutually agreed as follows :

(1) The Government hereby appoint the above named \_\_\_\_\_ as Miller for milling Government paddy at \_\_\_\_\_ in the district of \_\_\_\_\_ on the terms herein specified and the Miller hereby accepts such appointment.

(2) The agreement shall be deemed to have come into force with effect from the date of execution of these presents.

(3) Paddy will be supplied by Government and delivered at the Mill premises on vehicle or boat by the Carrying Contractors engaged for the purpose at Government as per quota fixed by Government for the Miller.

(4) The District Controller of Food or the Subdivisional Controller of Food of the Directorate of Procurement and Distribution/ The Assistant Director of Movement and Storage or the Storage and Movement Officer-in-Charge of the Central Storage Depots will certify the chalan in quadruplicate showing the actual weight of stocks made over to the Carrying Contractor for delivery to the Miller.

(5) The Miller shall countersign the chalan specifying the stock received in quadruplicate which will be produced by the Carrying Contractor. One copy of chalan should be retained by the Miller, two copies of the chalan should be sent by the Miller direct to the District Controller, Food/ Subdivisional Controller, Food/ Storage and Movement Officer/ or Assistant Director of Movement and Storage, Food and Agriculture (Food) Department concerned. The Carrying Contractor shall be responsible for any shortage due to the handling in transit from the Depot to the Mill premises and vice versa and the same (if any) will be recovered from him.

(6) The Miller shall have to account for the paddy received and rice produced in the following ratio:

- (a) (i) Aman \_\_\_\_\_ seers of rice to 60 seers of paddy.
- (ii) Aus \_\_\_\_\_ seers of rice to 60 seers of paddy.

(iii) Boro \_\_\_\_\_ seers of rice to 60 seers of paddy.

Rice produced in excess, if any, shall have to be accounted for.

(b) The rice produced must conform to the specification laid down by the Directorate of Inspection and Control. If, however, a particular lot of paddy is found to be below "Fair Average Quality", suitable allowance will be granted to the Miller on examination of the lot by the Directorate of Inspection and Control. For this purpose the Miller should lodge a complaint with District Controller of Food concerned who will arrange to draw the representative sample and send the same to the Directorate of Procurement, Distribution and Rationing who will pass on the sample to the Directorate of Inspection and Control for examination and report.

(c) Any short delivery beyond the permissible refraction allowance provided for in sub-clause (a) shall be realized from the Miller at the current maximum market price of the rice prevailing at the time during which the loss occurs or at the single ex-godown rate whichever is higher.

(d) If the rice offered by the Mill contains bad odor in a small degree not likely to be seriously resented by the ordinary consumers and due to causes which might not affect the congeniality of the rice, the same may be accepted, after imposing batta, by the Inspector and if the rice offered by the Mills has bad smell so as to produce offensive odor caused by factors which might affect the congeniality of the consumers, the rice so offered shall be rejected by the said Inspector and the Miller shall make good the loss at the rate laid down in sub-clause (c) mentioned above, unless they replace it within the stipulated time. But if the Miller is aggrieved, he shall have a right to refer the matter to the arbitration of the District Controller of Food concerned whose decision in the matter shall be final and binding.

The Miller shall deliver the rice on vehicle or boat to the carrying contractor appointed by the Government or any person or persons authorized by Government at the Mill premises as per delivery order issued by the Director of Procurement, Distribution and Rationing or any other officer authorized by him in this behalf.

(8) The Miller shall be allowed to dispose of the bran and husk on his own account, but broken shall be the property of Government and the

Miller shall account for it separately.

(9) The Miller must abide by the provisions of East Bengal Rice Mills Control Order, 1943 and the rules made thereunder.

(10) Bags will be supplied by the Government and the Miller shall deliver the rice as laid down in paragraph (7) above properly bagged, sewn and marked. Each bag should contain two maunds of rice (net). Until arrangement is made by Government by the supply of sutli, the Miller shall be paid 2 (two) pies per bag on account of sutli.

(11) The Miller shall furnish a cash security of Rs. 5,000 (Rupees five thousand) only by depositing the amount of security in cash by Pakistan National Savings Certificates in favor of the Director of Procurement, Distribution and Rationing.

(12) Permits for coal will be provided by Government, but the Miller shall take all possible steps to ensure that every opportunity for obtaining coal is properly utilized.

(13) The Miller shall take all reasonable care and proper steps to ensure the safety of Government property, lying in his godown. If any Government stock is damaged due to the negligence of Miller, the loss sustained by Government on that account shall be recoverable from him.

(a) The Miller shall have to store the resultant rice in his godowns free of cost for two months from the date of import in his godown. If storage is required for longer period, the Miller shall be treated as storing agent and shall be entitled to get storing commission at the rate of three p/ice per maund per month or part thereof for the period beyond the stipulated time of free storage in addition to the normal milling and handling commission. The Miller shall also be entitled to the benefit of allowable shortages prescribed by Government for storage during this period. For any excess shortage he shall have to compensate Government at the rate laid down in clause 6(c).

(14) In consideration of the Miller's faithfully undertaking the provisions of this Agreement, he will be entitled to a milling commission of \_\_\_\_\_ per maund of paddy and \_\_\_\_\_ per maund of paddy on account of bagging, marking, handling and other incidental charges.

(a) The Miller will submit his bills after each fortnight and every effort will be made by Government to pay up the bills within a fortnight of submission, provided the bills are in order.

(15) The Agreement shall be terminated by either side giving one month notice in writing but Government shall have the right to terminate this agreement forthwith, in the event of the Miller becoming insolvent or failing to observe or perform any provisions of this Agreement.

(16) On termination of this Agreement the responsibility of the Miller under this Agreement shall continue in respect of all transactions entered into by him before the date of termination of this Agreement and not liquidated until all accounts in respect of the whole of the Miller's transaction under this Agreement have been submitted to and accepted by Government.

(17) All notices, instructions or circular to be served on the Miller shall be deemed to have been served if sent by registered post to the address hereafter noted or handed over to him against his receipt or in the presence of two witnesses or hung in presence of two witnesses at the premises of the address hereafter noted.

(18) The Miller shall not, without previous consent in writing of the Government transfer this Agreement or any benefit arising herefrom either in whole or in part to any person.

(19) In the event of any difference or dispute out of or in way relating to this Agreement or regarding the meaning or construction of any clause, herein contained, such dispute shall be referred to the sole arbitration of the Secretary to the Government of East Pakistan, Food and Agriculture (Food) Department and his decision shall be final and binding.

\_\_\_\_\_  
Signature of authorized  
officer of Government.  
Designation \_\_\_\_\_  
Place \_\_\_\_\_

Address of the Miller \_\_\_\_\_  
Signature of the Miller \_\_\_\_\_  
Place \_\_\_\_\_ date \_\_\_\_\_

Miller's witnesses:  
(1)  
(2)

Government witnesses:  
(1)  
(2)

## NOTIFICATION

By the Government of East Bengal, Department of Civil Supplies.

No. 7975 D.C.S.—22nd November 1952.—(As amended up to 26th November, 1957.—In exercise of the power conferred by paragraph 3A of the Bengal Rice Mills Control Order, 1943, as amended from time to time, and in supersession of all previous notifications issued in this behalf, the Governor is pleased to specify the following scale of fees which shall be charged for the grant of licences and for the renewal of licences issued in Form II set out in the Schedule to that Order, and that the licences shall be valid during the financial year in which the new licence or the renewal of the licence is granted:—

- (i) New licence fee—Rs.50.
- (ii) Annual renewal fee—Rs.25.
- (iii) Late fee for renewal within one month's grace period—Rs.12-8.
- <sup>2</sup>[(iv) Fee for the grant of a duplicate licence, if the original one is defaced, lost or destroyed—Rs.5.]

## NOTIFICATIONS

By the Government of East Bengal, Food and Agriculture Department, Food Branch.

No. 4454F.D.—7th October 1955.—In exercise of the powers conferred by clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, and in supersession of notification No. 2957D.C.S., dated the 30th March 1951, the Governor is pleased to authorise all Subdivisional Officers to exercise within their respective jurisdiction all the powers under the said Order, except the power of cancellation of licence set out in Form II of the schedule appended to the said Order.

<sup>1</sup>Added by Notification No. 4006D.C.S., dated 23rd March, 1946 ("Calcutta Gazette", dated 28th March, 1946, Part I, page 579).

<sup>2</sup>Ins. by Notification No. 3470D.C.S., dated 22nd May, 1953 ("Dacca Gazette, Extra.", dated 25th May, 1953, page 563).

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No. 4455F.D.—7th October 1955.—In exercise of the powers conferred by clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, and in supersession of notification No. 2956 D.C.S., dated the 30th March 1951; the Governor is pleased to authorise all District Magistrates to exercise within their respective jurisdiction all the powers under the said Order, subject to such direction as may, from time to time, be issued in this behalf.

#### NOTIFICATIONS

No. 10287F.D.—10th November 1956.—In exercise of the powers conferred by Clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, the Governor is pleased to authorise all Regional Controllers of Food and District Controllers of Food to exercise within their respective jurisdiction all the powers under the said Order, subject to such directions as may, from time to time, be issued in this behalf.

No. 10288F.D.—10th November 1956.—In exercise of the powers conferred by clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, the Governor is pleased to authorise all Subdivisional Controllers of Food to exercise within their respective jurisdiction all the powers under the said Order, except the power of cancellation of licence set out in Form II of the schedule appended to the said Order.

By order of the Governor,

S. H. ALI,

*Dy. Secy. to the Govt. of East Pakistan.*

BEST AVAILABLE COPY

|| THE ESSENTIAL SUPPLIES (TEMPORARY POWERS) ACT, 1946

ACT NO. XXIV OF 1946

[19th November, 1946]

- - - - -

An Act to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities.

WHEREAS it is necessary to provide <sup>for</sup> the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, food-stuffs (including edible milseeds and oils), cotton and woollen textiles, paper (including newsprint), petroleum and petroleum products, spare parts of mechanically propelled vehicles, coal, iron, steel and mica;

AND WHEREAS the Legislature has been empowered by section 2 of the India (Central Government and Legislature) Act, 1946, to make laws with respect to the matters aforesaid;

It is hereby enacted as follows:-

1. Short title, extent and duration.- (1) This Act may be called the Essential Supplies (Temporary Powers) Act, 1946.

(2) It extends to all the Provinces and the Capital of the Federation.

(3) It shall cease to have effect on the expiration of the period mentioned in section 4 of the India (Central



Government and Legislature) Act, 1946, except as respects things done or omitted to be done before the expiration thereof, and section 6 of the General Clauses Act, 1897, shall apply upon the expiry of this Act as if it had then been repealed by a Central Act.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

- (a) "essential commodity" means any of the following classes of commodities:-
- (i) foodstuffs,
  - (ii) cotton and woollen textiles,
  - (iii) paper,
  - (iv) petroleum and petroleum products,
  - (v) spare parts of mechanically propelled vehicles,
  - (vi) coal,
  - (vii) iron and steel,
  - (viii) mica,
  - (ix) such other classes of commodities as may be declared by the Governor-General to be essential commodities by an Order under clause (a) of sub-section (1) of section 2 of the India (Central Government and Legislature) Act, 1946.
- (b) "food-crops" shall include crops of sugarcane;
- (c) "foodstuffs" shall include edible oilseeds and oils;

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- (d) "notified order" means an order notified in the official Gazette;
- (e) "paper" shall include newsprint;
- (f) "Provincial Government", in relation to a Chief Commissioner's Province, means the Chief Commissioner, [and in relation to the Capital of the Federation means the Administrator of Karachi].

3. Powers to control production, supply, distribution, etc., of essential commodities.- (1) The Central Government, so far as it appears to it to be necessary or expedient for maintaining or increasing supplies of any essential commodity, or for securing their equitable distribution and availability at fair prices, or, in respect of cloth and yarn for recovering any increase in those prices accruing before the seventeenth day of August, 1949, upon a direction of a competent authority increasing those prices, or, in respect of cloth and yarn, for recovering the margins accruing before the seventeenth day of August, 1949, to a particular class of dealers upon a direction of such authority eliminating that class, may by notified order provide for regulating or prohibiting the production, supply and distribution thereof and trade and commerce therein.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), an order made thereunder may provide -

- (a) for regulating by licences, permits or otherwise the production or manufacture of any essential commodity;
- (b) for bringing under cultivation any waste or arable land, whether appurtenant to a building or not, for the growing thereon of food-crops generally or of specified food-crops, and for otherwise maintaining or increasing the cultivation of food-crops generally, or of specified food-crops;
- (c) for controlling the prices at which any essential commodity may be bought or sold;
- [ (cc) in respect of cloth and yarn, for the payment by a producer or a dealer to the Central Government of -
  - (i) any increase in the price arising upon a direction of a competent authority fixing the price therefor, or
  - (ii) any margins accruing to a particular class of dealers upon a direction of a competent authority eliminating that class;and an order under this clause may be given effect from any date after the thirty-first day of December, 1947; ]

- (d) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity;
- (e) for prohibiting the withholding from sale of any essential commodity ordinarily kept for sale;
- (f) for requiring any person holding stock of an essential commodity to sell the whole or a specified part of the stock at such prices and to such persons *class of persons or* or in such circumstances, as may be specified in the order;
- (g) for regulating or prohibiting any class of commercial or financial transactions relating to foodstuffs or cotton textiles, which, in the opinion of the authority making the order are, or if unregulated are likely to be, detrimental, to public interest;
- (h) for collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters;
- (i) for requiring persons engaged in the production, supply or distribution of, or trade or commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in the order;

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(j) for any incidental and supplementary matters, including in particular the entering, and search of premises, vehicles, vessels and aircraft, the seizure by a person authorised to make such search of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being or is about to be committed, the grant or issue of licences, permits or other documents, and the charging of fees therefor.

(3) An order made under sub-section (I) may confer powers and impose duties upon the Central Government or officers and authorities of the Central Government, notwithstanding that it relates to a matter in respect of which the Provincial Legislature also has power to make laws.

(4) The Central Government, so far as it appears to it to be necessary for maintaining or increasing the production and supply of an essential commodity, may by order authorise any person (hereinafter referred to as an authorised controller) to exercise, with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be specified in the order, such functions of control as may be provided by the order; and so long as an order made under this sub-section is in force with respect to any undertaking or part thereof -

(a) the authorised controller shall exercise his functions in accordance with any instructions given to him by the Central Government, so, however, that he shall not have any power to give any direction inconsistent with the provisions of any Act or other instrument determining the functions of the undertakers except in so far as may be specifically provided by the order, and

(b) the undertaking or part shall be carried on in accordance with any directions given by the authorised controller in accordance with ~~with~~ the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

4. Delegation of powers.- The Central Government may by notified order direct that the power to make orders under section 3 shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by -

(a) such officer or authority subordinate to the Central Government, or

(b) such Provincial Government or such officer or authority subordinate to a Provincial Government, as may be specified in the direction.

5. Power to issue directions to Provinces.- The Central Government may give directions to any Provincial Government as to the carrying into execution in the Province of any order made under section 3.

6. Effect of orders inconsistent with other enactments.- Any order made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

7. Penalties.- (I) If any person contravenes any order made under section 3, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both, and if the order so provides, any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to His Majesty:

Provided that where the contravention is of an order relating to foodstuffs which contains an express provision in this behalf, the Court shall make such direction, unless for reasons to be recorded in writing it is of opinion that the direction should not be made in respect of the whole, or, as the case may be, a part, of the property.

(IA) The owner of any vessel, conveyance or animal carrying any property in respect of which an order under section 3 is contravened shall, if the carrying is part of the transaction involving the contravention and if he knew

or had reason to believe that the contravention was being committed, he deemed to have contravened the order, and in addition to the punishment to which he is liable under sub-section (1) the vessel, conveyance or animal shall, when the order provides for forfeiture of the property in respect of which the order is contravened, be forfeited to the Central Government.

(2) If any person to whom a direction is given under sub-section (4) of section 3 fails to comply with the direction, he shall be punishable with imprisonment for a term which may extend to three years or with fine~~er~~ or with both.

8. Attempts and abetments.- Any person who attempts to contravene, or abets a contravention of, any order made under section 3 shall be deemed to have contravened that order.

9. Offences by corporations.- If the person contravening an order made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

10. False statements.-If any person -

(1) when required by any order made under section 3 to make any statement or furnish any information, makes any statement or furnishes any



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information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

(ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish,

he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

II. Cognizance of offences.- No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Pakistan Penal Code.

12. Power to try offences summarily.- Any magistrate or bench of magistrates empowered for the time being to try in a summary way the offences specified in sub-section (I) of section 260 of the Code of Criminal Procedure, 1898 (V of 1898), may, on application in this behalf being made by the prosecution, try in accordance with the provisions contained in sections 262 to 265 of the said Code any offence punishable under this Act.

- II -

13. Special provision regarding fines.- Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898 (V. of 1898), it shall be lawful for any Magistrate of the First Class specially empowered by the Provincial Government in this behalf to pass a sentence of fine exceeding one thousand rupees on any person convicted of contravening an order made under section 3.

14. Presumption as to orders.- (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Act, a Court shall, within the meaning of the Evidence Act, 1872 (I of 1872), presume that such order was so made by that authority.

15. Burden of proof in certain cases.- Where any person is prosecuted for contravening any order made under section 3 which prohibits him from doing an act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document, shall be on him.

16. Protection of action taken under the Act.- (1) No suit, prosecution or other legal proceeding shall lie against

any person for anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

(2) No suit or other legal proceeding shall lie against the Crown for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

17. Repeal and saving.- (I) The Essential Supplies (Temporary Powers) Ordinance, 1946 (Ord.XVIII of 1946), is hereby repealed.

(2) Any order made or deemed to be made under the said Ordinance and in force immediately before the commencement of this Act shall continue in force and be deemed to be an order made under this Act; and all appointments made, licences or permits granted and directions issued under any such order and in force immediately before such commencement shall likewise continue in force and be deemed to be made, granted or issued in pursuance of this Act.

(3) For the removal of doubts it is hereby declared -

(a) that for the purposes of the said Ordinance and this Act an order of the nature referred to in section 5 of the said Ordinance made before the commencement of the said Ordinance and not

previously rescinded shall be deemed to be, and always to have been, an order in force immediately before such commencement, notwithstanding that such order or parts of it, may not then have been in operation, either at all or in particular areas;

- (b) that for the purposes of this Act an order made or deemed to be made under the said Ordinance and not rescinded prior to the commencement of this Act shall be deemed to be an order in force immediately before the commencement of this Act, notwithstanding that such order, or parts of it, may not then be in operation, either at all or in particular areas.

46 THE HOARDING AND BLACK MARKET ACT, 1948

ACT NO. XXIX OF 1948.

8th January, 1949

An Act to make special provision for checking hoarding and dealing in the black market.

WHEREAS it is expedient to make special provision for checking hoarding and dealing in the black market;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Hoarding and Black Market Act, 1948.

(2) It extends to all the Provinces of Pakistan and to the Capital of the Federation.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. Interpretation.- In this Act, unless there is anything repugnant in the subject or context,-

(1) "Government" means, in reference to offences under this Act committed in British Baluchistan or the Capital of the Federation, the Central Government, and in reference to such offences committed in a Governor's Province, the Provincial Government;

(2) "dealing in the black market" means -

(a) otherwise than in accordance with any Pakistan law -

- (i) selling, bartering, exchanging, supplying, or disposing of articles rationed by or under any such law;
- (ii) supplying, distributing, selling, disposing of, or parting with the possession or custody of, or offering to supply, distribute, sell, barter, exchange, dispose of or part with the possession or custody of, or acquiring or taking into possession anything the supply, distribution, sale, barter, exchange, disposal, parting with the possession or custody, acquiring or taking into possession of which is by or under any such law prohibited or subject to any restrictions or conditions whether of price or otherwise;
- (iii) producing, manufacturing, or treating anything the production, manufacture or treatment of which is subject to restrictions or conditions imposed by or under any such law;
- (iv) moving or purporting to sell, barter, exchange or supply or purporting to acquire or take into possession for the purposes of trade anything vested in His Majesty by or under any law for the time being in force;
- (v) using or dealing with any licence, permit or ration document issued by or under any such law;

- (b) making, uttering or using any counterfeit or forged licence, permit or ration document purporting to be a licence, permit or ration document duly granted or issued under any Pakistan law;
  - (c) in contravention of a prohibition, restriction or direction imposed in that behalf by or under any Pakistan law -
    - (i) storing or taking, causing, permitting or suffering the delivery of anything upon any premises, or
    - (ii) with holding anything from sale; or
  - (d) selling or buying anything for purposes of trade at a price greater than the maximum price fixed by or under any Pakistan law;
- (3) "hoarding" means stocking or storing anything in excess of the maximum quantity of that thing allowed to be held in stock or storage at any one time by any person by or under any Pakistan law; and
- (4) "Special Judge" means a person appointed as such under this Act.

### 3. Punishment for hoarding or dealing in black market.-

- (1) Whoever is found guilty of the offence of hoarding or dealing in the black market shall, notwithstanding anything to the contrary in any other enactment for the time being in force, be punishable -

- (a) if the offence is tried summarily, with imprisonment which may extend to one year but shall not, except for reasons to be recorded, be less than six months, and with fine; and
- (b) if the offence is not tried summarily, with imprisonment which may extend to seven years but shall not, except for reasons to be recorded, be less than one year, and with fine.

Provided that if in the case of an offence of hoarding, the person accused of such offence proves that he was hoarding for purposes other than gain, whether financial or otherwise, he shall be punishable with imprisonment which may extend to six months or with fine which may extend to five thousand rupees or with both.

(2) A Court convicting any person of an offence of hoarding or dealing in the black market shall order the forfeiture to the Government of anything in respect of which the offence was committed, or, where such forfeiture is impossible then forfeiture of an equivalent quantity of the like thing belonging to such person, or may order such person, notwithstanding any fine that may be imposed upon him under this section, to forfeit the equivalent value in money of such thing assessed at the date of the order of forfeiture.

4. Prohibition of carrying on business in certain cases.-

(1) On the third or any subsequent occasion on which a person is convicted of an offence under this Act the Government may make an order, having effect during such period as it thinks fit to fix, forbidding the convicted person to carry on or be concerned in any



manner directly or indirectly with the carrying on of the business in the course of which the offence was committed, or any branch of that business or any business or branch of a business of a similar character.

(2) Whoever contravenes an order under this section shall be punishable with imprisonment of either description for a term which may extend to six months and with fine.

5. Vicarious liability.- (1) Where an offence of hoarding or dealing in the black market is committed -

(a) by a body corporate, every director, manager, secretary or other officer or servant, or

(b) by a firm, every partner, secretary, principal officer and every agent of the partnership, or

(c) by a joint Hindu family business, the karta, every adult member, manager, gomasta, agent or servant;

shall, if actively concerned in the conduct of the business of such body, firm, or joint Hindu family, ~~business~~ be deemed to have committed the offence unless he proves that the offence was committed without his knowledge and that he used all due diligence to prevent the commission of the offence.

(2) The provisions of section 12 shall apply to any offence referred to in sub-section (1) of this section.

(3) Where a karta, adult member, manager, gomasta, agent or servant of a joint Hindu family business is fined the fine shall be realisable from his personal property and also from the assets of the joint family.

6. Attempts and Abetments.- Any person who attempts to commit and offence under this Act, or abets or attempts to abet the commission of such an offence, shall be deemed to have committed that offence:

Provided that the buying of goods for a purpose other than that of trade shall not by itself amount to abetment of the offence of dealing in the black market.

7. Abetment by public servants.- Any public servant as defined in the Indian Penal Code, 1860 (XLY of 1860) who by a dereliction of duty facilitates the commission by any person of an offence of boarding or dealing in the black market shall be deemed to have abetted the commission of the said offence within the meaning of section 6.

8. Bond by convicted person.- (1) The Court on convicting any person under this Act may in addition to any punishment to which he may be sentenced under this Act order him to execute a bond for a sum proportionate to his means, with or without sureties, to be of good behaviour for a period not exceeding three years.

(2) If he fails to execute the bond on or before the date on which the period for which the bond is to be given commences, the Court may order him to be committed to prison, or, if he is already in prison, to be detained in prison, until he executes the bond, and such detention shall, if the punishment referred to in sub-section (1) includes a term of imprisonment, commence at the expiration of that term, but shall in no case exceed twelve months.

(3) If having executed the bond he commits any breach of any condition in the bond, the bond shall forthwith stand forfeited, and he, and in his default any other person bound by the bond as surety, shall pay the penalty thereof:

Provided that if the person executing the bond shows cause to the satisfaction of the Court why such penalty should not be levied ~~from~~ from him it shall not be levied from him or from any surety to the bond.

(4) Imprisonment for failure to execute the bond shall be simple.

9. Bond for good behaviour in certain cases.- (1) Whenever a District Magistrate or a Magistrate of the first class specially empowered in this behalf, has information that ~~there~~ there is within the limits of his jurisdiction any person who within or without such limits transports foodstuff in contravention of an order made or deemed to <sup>have been</sup> made under the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), he may, if in his opinion there is sufficient ground for proceeding, require such person to show cause why he should not be ordered to execute a bond with or without sureties for his good behaviour for such period not exceeding one year as the Magistrate thinks fit to fix, and upon the execution of such bond the provisions of Chapters VIII and XLIII of the Code of Criminal Procedure, 1898 (V of 1898), shall apply to the case.

(2) Any contravention of an order made under the Essential Supplies (Temporary Powers) Act, 1946 (~~XXIV~~ XXIV of 1946), committed by such person after the execution of such bond shall be deemed to constitute a forfeiture of the bond.

10. Arrest and bail.- Any offence punishable under this Act shall be cognizable and except as provided in section 11, bail shall not be granted for an offence punishable under this Act except in accordance with the procedure provided in sections 497 and 498 of the Code of Criminal Procedure, 1898 (V of 1898), ~~and~~ ~~provision~~ for the grant of bail in case of non-bailable offences.

11. Special provision regarding bail.- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), no person accused of an offence under this Act in a trial before a Special Judge or convicted and sentenced to imprisonment by such Judge for any such offence shall be released on bail or on his own bond unless the prosecution has been given an opportunity to be heard in the matter.

12. Power of Government as to prosecution.- (1) No Court shall take cognizance of any offence of hoarding or dealing in the black market except upon a complaint in writing by or under the written authority of the Government.

(2) The Government may by order direct that in case of trials other than trials before a Special Judge the powers conferred upon it by sub-section (1) shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised by District Magistrates.

13. Power to try summarily.- Any Magistrate for the time being empowered to try in a summary way the offences specified in sub-section (1) of section 260 of the Code of Criminal Procedure, 1898 (V of 1898), may, if he thinks fit, on application in this behalf

by the prosecution and after hearing the defence, try an offence of hoarding or dealing in the black market in accordance with the provisions of sub-section (1) of section 262 and sections 263, 264 and 265 of that Code.

14. Appointment of Special Judges.- (1) The Central Government shall have power to appoint Special Judges for the trial of offences under this Act.

(2) Any person may be appointed a Special Judge who -

(a) is or has been a Judge of a High Court, or a Sessions Judge, or

(b) is qualified to be appointed a Judge of the High Court.

(3) Every Special Judge shall be appointed by the Central Government after consulting the High Court having jurisdiction in the area for which the Special Judge is to be appointed:

Provided that nothing in this sub-section shall be deemed to forbid the appointment of a Special Judge for an area in which two or more High Courts have jurisdiction.

15. Cases triable by Special Judge.- (1) Every Special Judge shall try such cases under this Act as the Government may from time to time appoint in this regard by notification in the Official Gazette, and notwithstanding anything to the contrary in any other enactment for the time being in force, any such case which at the date of a notification under sub-section (2) is pending before any

other Court shall, on such date, be deemed to stand transferred to the Special Judge concerned in accordance with the notification.

(2) The Government may by a like notification transfer any such case from one Special Judge to another, or withdraw any case from a Special Judge, or make such notification in the description of any case (whether in the name of any accused or in the charge preferred or in any other manner) as it may think necessary.

16. Procedure and powers of Special Judges.- (1) A Special Judge may take cognizance of a case without the accused being committed for trial, and in trying the case he shall follow the procedure prescribed by the Code of Criminal Procedure, 1898 (V of 1898), for the trial of warrant cases by Magistrates:

Provided that a Special Judge shall not be bound to adjourn any trial for any purpose whatever, unless such adjournment is in his opinion necessary in the interests of justice:

Provided further that notwithstanding anything in the aforesaid Code a Special Judge may, unless he in his discretion otherwise decides and except where a case has been transferred to him by the High Court on the ground that a fair and impartial trial could not be had in the Court from which the case is transferred, act on ~~x~~ evidence already recorded by any Court or Special Judge or his predecessor in office.

(2) Save as provided in sub-section (1), the provisions of the said Code, except the provisions of section 196A and of Chapter XXXIII, shall, so far as they are not inconsistent with this Act,

apply to all proceedings of a Special Judge; and for the purposes of the said provisions the Special Judge shall be deemed to be a Court of Session trying cases without a jury, and a person conducting a prosecution before a Special Judge shall be deemed to be a Public Prosecutor.

17. Appeal and revision.- The High Court may exercise, so far as they may be applicable, all the powers conferred by Chapter XXXI and XXXII of the Code of Criminal Procedure, 1898 (V of 1898), on a High Court, as if the Special Judge were a Court of Session trying cases without a jury within the local limits of the High Court's jurisdiction.

18. Bar of certain jurisdiction.- No Court other than a High Court shall have authority to transfer any case from a Special Judge to any other Court or Special Judge or to make any order under section 491 of the Code of Criminal Procedure, 1898 (V of 1898), or, save as provided in section 17, have any jurisdiction of any kind in respect of any proceedings of a Special Judge.

19. Burden of proof in certain cases.- When any person is tried for an offence of hoarding or dealing in the black market and any question arises whether he did any act or was in possession of anything with lawful authority or under a permit, licence or other document prescribed by or under any law for the time being in force, the burden of proving that he had such authority, permit, licence or other document shall lie on him.

20. Accused person to be competent witness.- Notwithstanding anything to the contrary in any enactment for the time being in force, any person charged with hoarding or dealing in the black

market shall be a competent witness in his own defence, and may give evidence on oath in disproof of the charges made against him or against any person charged together with him at the same trial:

Provided that -

- (a) he shall not be called as a witness except at his own request;
- (b) his failure to give evidence shall not be made the subject of any comment by the prosecution or give rise to any presumption against him or against any person charged together with him at the same trial;
- (c) he shall not be asked any question tending to show that he has committed or been convicted of any offence other than the offence with which he is charged, or is of bad character, unless -
  - (i) the proof that he has committed or been convicted of such offence is admissible evidence to show that he is guilty of the offence with which he is charged, or
  - (ii) he has personally or by his pleader asked questions of any witness for the prosecution with a view to establishing his own good character, or has given evidence of his good character, or
  - (iii) he has given evidence in disproof of the charges made against any other person charged together with him at the same trial.



21. Notice of conviction to be displayed.- (1) Upon the conviction of any person for the offence of hoarding or dealing in the black market, as the case may be, the Government may require him to exhibit in or outside or both in and outside his place of business (if any) notices of such number, size and lettering, and placed in such positions and containing such particulars relating to the conviction as it may determine and to keep them so exhibited continuously for a period of not less than three months from the date of conviction; and if he fails to comply fully with the requirement he shall be deemed to have committed a further offence of hoarding or dealing in the black market, as the case may be, according to the nature of the original offence for which he was convicted.

(2) If any person so convicted refuses or fails to comply fully with any such requirement, any officer authorised in that behalf by an order of the Government in writing may, without prejudice to any proceedings which may be brought in respect of any such refusal or failure, affix the notices in or outside, or both in and outside, the place of business of such person in accordance with the requirement of the Government in pursuance of the last preceding subsection.

(3) Any person who obstructs any such officer in exercise of any power conferred by sub-section (2) shall be punishable with imprisonment of either description for a term which may extend to two years or with fine or with both.



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24. Except as otherwise provided in this Act, imprisonment for any offence under this Act shall be rigorous.

25. Rule making power.- The Central Government may make rules for carrying out the purposes of this Act.

## MINISTRY OF FOOD, AGRICULTURE AND HEALTH

## NOTIFICATION

Karachi, the 26th February 1948.

No. Py-18/48.—In exercise of the powers conferred by sections 3 and 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) and in supersession of the Sugar and Sugar Products Control Order, 1947, dated 4th August 1947 issued by the Department of Food, Government of India, New Delhi, by their Gazette, dated the 16th August 1947, the Government of Pakistan, in the Ministry of Food, Agriculture and Health is pleased to make the following Order:—

(i) This Order may be called the Sugar and Sugar Products Control Order, 1948.

(ii) It extends to all the Provinces of Pakistan.

(iii) It shall come into force at once.

2. In this Order unless there is anything repugnant in the subject or context,—

(a) "Controller" means the person appointed as the Sugar Controller for Pakistan by the Government of Pakistan and includes any person authorised by the Controller to exercise all or any of the powers of Controller under this Order except those under [\*sub-clause (1) of clause 6] hereunder. [\*as amended by notification No. SCP-3(2)/50 dated 29th June 1950.]

(b) "Dealer" means a person carrying on business in the purchase, sale and/or distribution of sugar and sugar products.

(c) "Ex-factory price" means the price of sugar inclusive of excise duty packed in accordance with the usual market practice and loaded at the buyer's option on buyers' carts, lorries or other means of transport, or into railway wagons at the railway station or siding generally used by the producer and all incidental charges including those for loading and forwarding, being on account of the ex-factory seller.

(d) "Producer" means a person carrying on the business of manufacturing sugar or sugar products or both with the aid of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal energy.

(e) "Recognised Dealer" means a dealer who has been recognised as such by the Controller for the purposes of this Order.

(f) "Sugar" means (i) any form of sugar containing more than 90 per cent. of sucrose, (ii) any sugar or crystalline structure.

(g) "Sugar Product" means any article manufactured from, and containing sugar not less than 25 per cent. of its weight.

3. No producer shall dispose of or agree to dispose of or make delivery of any sugar, except—

(i) to or through a recognised dealer or

(ii) to a person specially authorised in this behalf by the Controller to acquire sugar on behalf of the Government of Pakistan or of Provincial Government or of a State in Pakistan.

4. (1) If the Controller has reason to believe that the production of special types of sugar or sugar products is likely to affect adversely the production of adequate quantities of ordinary sugar, he may, by general or special order, prohibit, or limit to such quantities as may be specified in the order, the manufacture by producer or by producers generally of such types or grades of sugar or sugar products as the order may specify, and no producer to whom such order applies shall manufacture any sugar products in contravention thereof.

(2) For the purposes of sub-clause (1), "producer" includes a person carrying on the business of manufacturing any form of sugar containing more than 90 per cent. sucrose including Khandsari Sugar, Desi Sugar and Bura.

5. Every producer and dealer shall comply with such directions regarding the production, sales, stocks and/or distribution of sugar or sugar products as may from time to time be given to him by the Controller.

6. (1) The Controller may, from time to time, fix with the prior approval of the Central Government by notification in the Official Gazette the price or maximum price at which any sugar or sugar product may be sold or delivered, and different prices may be so fixed by him for different areas or different types or grades of sugar or sugar products.

(2) Where the price or the maximum price has been so fixed—

(a) the price at which sugar or sugar products may be sold for delivery otherwise than ex-factory shall not exceed the price or maximum price as the case may be fixed under sub-clause (1) for sale ex-factory plus such charges in respect of transport to or in specified areas and other incidental charges as are approved by the Controller.

(b) No person shall sell or purchase or agree to sell or purchase such sugar or sugar products at a price higher than that fixed under the provisions of sub-clause (1).

[(3) For the purpose of sub-clause (1), the Controller or any person authorised by him, in this behalf, may check at any time the Accounts of any factories producing sugar or sugar products.]

7. (1) The Controller may from time to time, with the prior approval of the Central Government—

(i) allot quotas or sugar or sugar products or of both for the requirements of any specified province, or area, or market;

(ii) issue directions to any producer or dealer to supply sugar or sugar products to such provinces, areas or markets or such persons or organisations, in such quantities, of such types or grades, at such times, at such prices and in such manner as may be specified by the Controller:

<sup>1</sup>Ins. by notification No. SCP-3(2) Vol. III., dated the 23rd May 1956 (Pak. Gaz., dt. 1-6-1956, Pt. I, p. 224.)

Provided that where price or maximum price of any sugar or sugar product has been fixed in accordance with sub-clause (1) of clause 6, the Controller shall in respect of sugar or sugar product specify the price or maximum price under para. (ii) of this sub-clause accordingly.

(2) The Controller may also, from time to time require any producer dealer to keep in reserve stocks of sugar or sugar products in such quantities and of such types and grades as he may direct from time to time.

(3) Every producer, shall, notwithstanding any existing agreement with any other person, give priority to, and comply with any directions issued to him under sub-clause (1).

8. <sup>1</sup>[(1) No sugar shall be transported, or offered or accepted for transport, whether by rail, road, water or any other means of transport and whether by a railway servant, common carrier or other person except under and in accordance with the terms of—

- (a) general or special permit issued by the Controller in this behalf; or
- (b) a Military Credit Note :

Provided that nothing in this sub-clause shall apply to the transport of sugar not exceeding 5 seers as part of the personal luggage of a *bona fide* traveller.]

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller on completion of despatch or any expiry of the period of its validity, whichever is earlier, with the particulars of actual despatch in the prescribed form.

(3) For the purposes of this clause "sugar" means (i) sugar manufacture by any process, including sugar made in vacuum pan factories from cane or gur or palmyrah jaggery, as well as Khanadsari sugar, sugar candy (Misri) and Bura, (ii) and sugar imported from other countries including India.

<sup>2</sup>[(4) Nothing in this clause shall prevent the Controller from permitting, by an order published in the Official Gazette and containing such conditions and restrictions as he may see fit to impose, the transport of sugar without permit within any area specified in the said Order.]

<sup>3</sup>[(5) Nothing in this clause shall apply to transport by rail of any consignment of sugar, if such consignment is despatched to—

- (a) its destination having been carried over or despatched to any other railway station by a *bona fide* mistake of the Railway Staff's or
- (b) the Railway Lost Property Office.]

9. The Controller may, by notification in the Official Gazette, make rules for carrying into effect the purposes and object of this Order.

<sup>1</sup>As amended by notification No. PY—16(47), dat. 28-1-1950. (Pak. Gaz., dt. 3-2-1950, Pt. I, p. 57.)

<sup>2</sup>Ins. by notification No. PY—16/47, dat. 17-5-50. (Pak. Gaz., dt. 26-5-50, Pt. I, p. 261.)

<sup>3</sup>Ins. by notification No. SCP—3(2), Vol. III, dt. 9-9-55. (Pak. Gaz., dt. 16-9-55, Pt. I, p. 377.)

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10. Notwithstanding the supersession of the Sugar and Sugar Products Control Order, 1947, dated 4th August 1947, all notifications, rules, orders, authorisations, quotas, requirements and directions issued or deemed to have been made thereunder or previously shall, so far as they are not inconsistent with this order, be deemed to have been made hereunder, and they shall continue in force until rescinded or modified hereunder.

11. If any person contravenes the provisions of this Order then without prejudice to any other punishment to which he may be liable, any court trying the offence may order that any stocks of sugar or sugar products, together with the packages and coverings thereof, in respect of which the court is satisfied that the offence has been committed, shall be forfeited to Government.

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## MINISTRY OF FOOD

### NOTIFICATION

Karachi, the 17th April, 1956.

No SCP-3(2)-Vol. III.—In exercise of the powers conferred on me by sub-clause (a) of clause 2 of the Sugar and Sugar Products Control Order, 1948, I, A. R. Khan, Sugar Controller for Pakistan, hereby authorise the Secretary to the Government of East Pakistan, Food and Agriculture (Food) Department to exercise within the Province of East Pakistan and subject to such directions and limitations as may be issued by me from time to time, the powers of a Controller under para. (a) of sub-clause (2) of clause 6 of the said Order. This supersedes the Ministry of Food Notification No. SCP-(2) Vol. III, dated 14th January, 1956.

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**GOVERNMENT OF EAST PAKISTAN  
FOOD DEPARTMENT.**

**NOTIFICATION.**

No. 2098 FD.—2nd March 1957.—In exercise of the powers under paragraph (a) of sub-clause (2) of clause 6 of the Sugar and Sugar Products Control Order, 1948, delegated to me by the Sugar Controller for Pakistan under notification No. SCP-3(2), Vol. III, dated the 17th April 1956, I hereby fix the following maximum prices of sugar candy:—

**Wholesale price.**

Rupees 66-8-0 per maund of sugar candy, which is of crystalline structure, the average size of the individual crystal being not less than one-half of an inch long.

**Retail prices.**

Rupees 70-0-0 per maund of sugar candy, which contains the above specification.

The wholesale and retail prices of ordinary sugar candy (un-crystalline structure being the resultant agglomeration of the ordinary sugar) shall be the same as fixed for the wholesale and retail prices of sugar in East Pakistan for the season 1956-57, viz., Rs.48-12-0 per maund wholesale and Rs.50-0-0 per maund retail (including wholesalers' and retailers' margins of Rs.1-8-0 and Re.1-4-0 per maund respectively).

**GOVERNMENT OF EAST PAKISTAN  
FOOD DEPARTMENT.**

**NOTIFICATION.**

No. 2475 F.D.—13th March 1957.—In exercise of the powers under paragraph (a) of sub-clause (2) of clause 6 of the Sugar and Sugar Products Control Order, 1948, delegated to me by the Sugar Controller for Pakistan under notification No. SCP-3(2) Vol. III, dated the 17th April 1956, I hereby fix the following maximum prices of sugar:—

**Wholesale price.**

Rs.48-12-0 per maund.

**Retail prices.**

- (i) Rs.50-0-0 per maund, within 5 miles of wholesalers' godowns (including retailers' margin of Re.1-4-0 per maund).
- (ii) Rs.50-10-0 per maund, beyond 5 miles of wholesalers' godowns (including retailers' margin of Rs.1-14-0 per maund).

The above prices will apply to the indigenous sugar and imported sugar of 1956-57.

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NOTIFICATION

By the Government of East Bengal, Department of Civil Supplies No. 2793 D.C.S./E/IW-5/47(Ext.)-17th April 1948.- (As amended up to 26th November, 1957).- In exercise of the powers conferred by sub-section (1) of section 3 of Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with clauses (f), (i) and (j) of sub-section (2) of that section and with the Government of Pakistan, Ministry of Food, Agriculture and Health notification No. PY-16/47, dated the 3rd February 1948, the Governor is pleased to make, with the concurrence of the Government of Pakistan, the following Order, namely :-

1. (1) This Order may be called the East Bengal Flour and Dal Mills and Chakkis Control Order, 1948.

(2) It shall apply to the areas specified in the Schedule below.

(3) It shall come into force on such date as the Provincial Government may by notification in the Official Gazette, direct.

2. In this Order -

(a) "Director of Procurement and Distribution" means the Director of Procurement and Distribution, Government of East Bengal, and includes any person authorised by the said Director of Procurement and Distribution to perform all or any of the functions of the Director of Procurement and Distribution under this Order;

(b) "wheat product" means atta, flour (maida), wholemeal atta, wholemeal flour, semolina (suji), bran and refraction of wheat with other food-grains;

(c) "dal" means split grains of all varieties of pulses viz, masoor, moong, kalai, gram, etc.;

(d) "miller" means a person carrying the business of manufacturing wheat products or dal or both by the use of roller mills or chakkis, that is, by mills in which grinding is done by grooved steel or iron rollers or mill stones worked by mechanically transmitted power, and includes a proprietor, director, managing agent, or manager of such a mill or a person otherwise in-charge of such a mill.

3. No miller shall sell or dispose of any wheat product, except bran and refraction manufactured in his mill, except in accordance with a permit or order in writing issued by the Director of Procurement and

Distribution.

4. (1) Every Miller shall comply with such general or special directions as may, from time to time, be given to him by the Director Of Procurement and Distribution for the purpose of exercising effective control on the flour and dal mills and chakkis.

(2) Without prejudice to the generality of the powers conferred by sub-paragraph (1), such direction may provide for -

(a) the fixation of extraction percentage of different kinds of wheat products;

(b) the regulation of the extent to which other grain may be mixed with wheat in the manufacture of wheat products;

(c) the regulation of percentage of different varieties of wheat to be used in the milling;

(d) the regulation of the extent to which dals should be milled in a day;

(e) the loading of wagons, if any, at the mill sidings;

(f) the fixation of charges which may be levied by millers for milling wheat and pulses.

5. The Director of Procurement and Distribution ~~may~~ -

(a) enter, inspect or search any premises in which business is carried on by a miller for the purpose of ascertaining if the provisions of this Order and the directions given by him under paragraph 4 of this are being complied with;

(b) require any miller -

(i) to produce before him any accounts, registers, vouchers, or other documents relating to the milling, sale or purchase of wheat products or dal by such miller, and

(ii) to furnish any other information that ~~may~~ be necessary for giving effect to the provisions of this Order.

6. The Director of Procurement and Distribution may, by an order in writing exempt any mill from the operation of this Order in full or in part.

7. If any person contravenes the provisions of this Order, then without prejudice to any other punishment to which he may be liable, any court trying the offence may order that any stocks of wheat, wheat products, pulses and dals together with the packages and covering

thereof, in respect of which the court is satisfied that the offence has been committed, shall be forfeited to the State.

The Schedule

- |                 |                              |
|-----------------|------------------------------|
| 1. Dacca        |                              |
| 2. Narayanganj  |                              |
| 3. Chandpur     |                              |
| 4. Chittagong   |                              |
| 5. Mymensingh   | As defined in the respective |
| 6. Brahmanbaria | Municipal Acts.              |
| 7. Gopalganj    |                              |
| 8. Sylhet       |                              |
| 9. Comilla      |                              |
| 10. Rajshahi    | Rationed area only           |
| 11. Dinajpur    | By order of the Governor     |
| 12. Saidpur     | K.S. ISLAM, Dy. Secy         |
| 13. Khulna      |                              |

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## NOTIFICATION

By the Government of East Bengal, Department of Civil Supplies.

No. 606 D.C.S.—26th January 1950.—In exercise of the power conferred upon me under clause (f) of sub-paragraph (2) of paragraph 4 of the East Bengal Flour and Dal Mills and Chakkis Control Order, 1948, and in supersession of notification No. 6297 D.C.S., dated the 23rd July 1949, I hereby direct that in the areas specified in the Schedule to the said Order a miller shall not charge more than Rs.1-9 per maund of wheat crushed in 39 seers of *atta*, or 5 pice per every 2 seers of wheat so crushed:

Provided that if the crushing of wheat is effected by power other than electricity the rate shall be Rs.2-3 per maund or 7 pice for every two seers.

## NOTIFICATION

By the Government of East Bengal, Department of Civil Supplies.

No. 6678 D.C.S.—4th October 1952.—In exercise of the power conferred upon me under clause (f) of sub-paragraph (2) of paragraph 4 of the East Bengal Flour and Dal Mills and Chakkis Control Order, 1948, I hereby direct that in the 3rd line of proviso to notification No. 606 D.C.S., dated the 26th January 1950, "Rs.1-14 per maund or 6 pice for every two seers" be *substituted* for "Rs. 2-3 per maund or 7 pice for every two seers".

<sup>1</sup>Subs. by Notification No. 827 D.C.S., dated 4th February, 1950 ("Dacca Gazette, Extraordinary", dated 4th February, 1950).

## ORDER.

## By the Government of East Bengal, Department of Civil Supplies

No. 709-D.C.S./B/374/48.—25th January 1949.—In exercise of the powers conferred by sub-section (1) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with clause (d) of sub-section (2) of that section and with notification No. PY-16/47, dated the 3rd February 1948 of the Government of Pakistan, in the Ministry of Food, Agriculture and Health the Governor is pleased to make, with the concurrence of the Government of Pakistan, the following Order, namely:—

1. (1) This Order may be called the East Bengal Foodgrains (Movement Control) Order, 1949.

(2) It extends to the whole of East Bengal.

(3) This Order supersedes Bengal Foodgrains (Movement Control) Order, 1943, issued under notification No. 168-F.G., dated the 20th August 1943.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "export" means to move or cause to be moved out of the Province of East Bengal;

(b) "Director of Food" means the Director of Food and includes any officer authorised by the said Director of Food to perform all or any of the functions of the Director of Food under this Order;

(c) "foodgrains" means any of the foodgrains specified in the schedule to this Order and includes any products of those foodgrains.

3. (1) No person shall export any foodgrains except under and in accordance with a permit issued in that behalf by the Director of Food:

[Provided that nothing in this sub-paragraph shall apply to the export of foodgrains, under and in accordance with military credit notes:]

Provided further that the Director of Food may, by general or special order exempt from the provisions of this sub-paragraph the export of foodgrains to such extent, in such manner, and for such period as may be specified in the order.

(2) If it appears to the Director of Food that a permit issued by him under sub-paragraph (1) is not likely to be utilised or that there are sufficient reasons for requiring its cancellation, he may cancel the permit and on such cancellation the holder of the permit shall forthwith return it to the authority issuing it.

<sup>1</sup>(1 Subs. by Notification No. 524 DCS., dated 2nd January 1951 (Dacca Gazette, Extraordinary, dated 23rd January 1951, page 51).

4. Applications for permits to export foodgrains during any calendar month shall be made in writing not later than the fifteenth day of the preceding month to the Director of Food and shall contain full and true particulars of the following:

- (i) name of consignor;
- (ii) name of consignee;
- (iii) quantity and nature of consignment;
- (iv) port or railway station and district of despatch;
- (v) port or railway station of destination;
- (vi) price at which the foodgrains included in the consignment have been sold.

5. Where any foodgrains are exported by rail in accordance with a permit issued by the Director of Food, the permit shall be returned by the consignor to the Director of Food on completion of despatch of the quantity therein mentioned with the entries in respect of each consignment showing the quantity despatched and the date of despatch duly certified by the Station Master on the permit.

6. Where any foodgrains are exported by sea in accordance with a permit issued by the Director of Food, the consignor shall deliver the permit to the Customs Collector who shall return the permit to the Director of Food after the consignment has been exported.

7. Where any foodgrains are exported otherwise than by rail or by sea in accordance with a permit issued by the Director of Food, the permit shall be disposed of in accordance with such instructions as the Director of Food may indicate on the permit.

8. If any person contravenes the provisions of sub-paragraph (1) of paragraph 3 of this order, then without prejudice to any other punishment to which he may be liable, any court trying the offence, shall order that any stocks of foodgrains, together with packages and coverings thereof, in respect of which the court is satisfied that the offence has been committed, shall be forfeited to the Provincial Government unless for reasons to be recorded in writing the court is of opinion that the direction should not be made in respect of the whole or, as the case may be, a part of the property.

#### 1[The Schedule

[See paragraph 2(c).]

1. Wheat.
2. Rice in the husk (paddy).
3. Rice husked.]

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1 As amended by Notification No. 2188, D.C.S., dated 30th March 1950 (Dacca Gazette, Extraordinary, dated 31st March 1950, page 337).

Government Of East Bengal  
Department Of Civil Supplies  
The East Bengal Food Stuffs Price Control and Anti Hoarding  
Order, 1953  
Notification

No 5221-D.C.S.,-8th August, 1953. In exercise of the powers under subsection (1) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with clauses (c), (d), (e), (f), (i) and (j) of subsection (2) of that section, delegated by the Government of Pakistan, Ministry of Food, Agriculture & Health, By notification No.PY-16/47, dated the 3rd February, 1948, the Governor is pleased to make, with the concurrence of the Government of Pakistan, the following Order, namely :

1. (1) This order may be called the East Bengal Food stuffs Price Control and Anti Hoarding Order, 1953.

(2) It extends to the whole of East Bengal.

(3) It shall come into force in such areas and on such dates as the Provincial Government may, by notification in the Official Gazette, direct.

2. In this Order, unless there is anything repugnant in the subject or context, -

(a) "family" Includes all persons who live together in a private house and are members of the same mess;

(b) "form" means a form as set out in the Schedule to this Order;

(c) "notification" means a notification published in the Official Gazette;

(d) "retailer" means a trader who sells any foodstuff directly to a consumer;

(e) "trader" means any person engaged in the purchase, sale or storage for sale of any foodstuffs;

(f) "wholesaler" means a trader other than retail trader;

(g) "foodstuff" means rice, rice in the husk (paddy), wheat and wheat products and shall include any other foodstuffs which the Provincial Government may, from time to time, by notification in the official Gazette, declare for the purpose of this Order.

3. (1) The Provincial Government may, from time to time, by notification, <sup>fix</sup> the maximum prices at which any foodstuff may be sold by (a) a retailer, (b) a wholesaler, or (c) any other person and for this purpose may fix different prices for different areas of the Province, and may in like manner vary, amend or rescind any notification issued under this clause.

(2) The Provincial Government may by notification, require any trader, to mark on any foodstuff, the maximum prices fixed under sub clause (1) in such manner as may be prescribed and the trader concerned shall mark such commodity accordingly.

(3) A notification under sub clause (1) shall specify the date from which, the period for which and the area within which such maximum price has been fixed.

4. When the maximum price at which any foodstuff may be sold by any person has been fixed under paragraph 3, -

(a) no person shall sell or agree to sell and no trader shall purchase or agree to purchase any such foodstuff at a price exceeding such maximum price;

(b) no trader shall sell or offer or exhibit for sale any foodstuff in respect of which marking a maximum prices has been required under sub clause (2) of clause 3 unless such commodity has been so marked;

(c) notwithstanding anything contained in any contract, no retailer, or wholesaler and no person, shall sell or purchase, or deliver or accept delivery of, any foodstuff, at a price exceeding the maximum price fixed under sub clause (1) of clause 3.

5. (1) The Provincial Government may direct that no trader or class of traders shall carry on the business of any foodstuff except under and in accordance with the conditions of a license issued in this behalf by the Provincial Government or any officer authorized by it.

(2) The Provincial Government may, from time to time, by notification specify the fee which may be charged for the grant or renewal of any license issued under this Order or for the issue of a duplicate license if the original one is defaced, lost or destroyed, or for the grant of an extra copy of the license and the manner in which such fees shall be paid and limit the period of validity of the license.

(3) Application for licenses under sub clause (1) shall be



made to the Provincial Government or any officer authorized by it in Form I set out in the Schedule to the Order and licenses issued under the said sub clause shall be in Form II set out in the Schedule.

6. The Provincial Government may -

(a) require a trader to maintain true accounts relating to such transaction in such manner and form as the Provincial Government prescribe;

(b) require a trader to submit such returns, reports or statements relating to such transactions as the Provincial Government may consider necessary.

7. (1) The Provincial Government may, by notification, direct that no family, wholesaler or retailer shall keep in its or his possession or under its or his control any foodstuff in excess of the quantity specified in such notification.

Explanation - For the purpose of this clause the possession or control of any one member of a family shall be deemed to be the possession or control of every adult member of that family.

(2) The Provincial Government may direct that no trader or class of trader shall keep in his possession or under his control any foodstuff for any period longer than that specified in the notification.

(3) If on the date of issue of a notification under sub clause (1) above in respect of any foodstuff any family, wholesaler or retailer, has in its or his possession or control any quantity of such foodstuff in excess of the quantity specified in such a notification the head of the family, wholesaler or retailer concerned, shall forthwith or within such time as may be specified in the notification report the fact to the Provincial Government or any officer empowered in this behalf by the Provincial Government and shall take such action as to storage, distribution or disposal of the excess quantity as the Provincial Government or such officer may direct.

(4) The Provincial Government may, by notification, add to, amend, vary or rescind any order made under this clause.

8. The Provincial Government may, by general or special order in writing require any trader holding stock of any foodstuff to sell the whole or specified part of that stock at prices within the maximum limit fixed under subclause (1) of clause 3, to such person or class of persons as may be specified in the order.

9. The provincial Government may, by notification, direct that no trader holding stock of any foodstuff shall, unless previously authorized to do so by the Provincial Government withhold such article from sale or refuse to sell it to any person, in quantities not contrary to the normal practices of his business.

9. A. The provincial Government may, by notification in the official Gazette, direct that no trader, family, wholesaler or retailer shall move or cause to be moved any foodstuffs from one place to another place by rail, road, river, or any other means whatsoever, except under an authority in writing issued in this behalf by the Provincial Government or any officer authorized by it.

10. Any officer, authorized in this behalf by the Provincial Government by general or special order in writing may -

(a) require a trader to maintain accounts relating to transaction in any foodstuff in such manner and form as the officer so authorized prescribes;

(b) require a trader to submit such true returns, reports or statements relating to such transactions as the officer so authorized may consider necessary;

(c) require a trader to cause his storage godown to be registered in such manner and within such period as the officer so authorized may direct and no trader whose godown has been so registered shall store any foodstuff in any place other than the godown so registered.

11. The Provisions of this Order shall not apply to the possession or control of any foodstuff by or on behalf of the Provincial Government or the Central Government.

12. The Provincial Government may, by order in writing, exempt any person or class of persons from all or any of the provisions of this Order subject to such condition, if any, as may be specified in such orders.

13. Any officer authorized in this behalf by the Provincial Government, by general or special order in writing, may -

(a) enter upon and inspect any premises, tents or vessels used or believed to be used for the purchase, sale or storage for sale of any foodstuff;

(b) enter upon and search any premises, tents or vessels and

seize any foodstuff in respect of which he has reason to believe that ~~in respect of which he has reason to believe that~~ contravention of this Order has been committed;

(c) direct the owner, occupier or other person in charge of such premises tents or vessels, or any trader to produce any books, accounts, vouchers or other documents relating to the purchase, sale or storage for sale of any foodstuff or to furnish such information relating to such transactions as the officer so authorized may require;

(d) inspect or cause to be inspected any books, accounts, vouchers or other documents relating to such transaction.

(e) take or cause to be taken extracts ~~from~~ or copies of any documents relating to such transactions.

14. If any person contravenes any provisions of this Order or of any order passed under it then, without prejudice to any other punishment to which he may be liable, the Court trying the contravention may direct that the stock of any foodstuff in respect of which the contravention has occurred, shall be forfeited to the Provincial Government, provided that when the foodstuff in respect of which the contravention has occurred is a foodstuff, the Court shall make such direction unless, for reasons to be recorded in writing, the Court is of the opinion that the direction should not be made in respect of the whole or, as the case may be, a part thereof.

15. Any person, other than a bona fide consumer, who attempts to contravene or abets a contravention of, any provision of this Order or of any order passed under it shall be deemed to have contravened that provision.

16. The Provincial Government may, by notification, direct that any power or duty which is conferred or imposed by this Order on the provincial Government shall subject to such conditions, if any, as may be specified in the notification, be exercised or discharged also by any officer or authority subordinate to it.

17. Any person empowered to do any act under this Order, shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

18. The Provincial Government may make rules for carrying out the purposes of the Order.

19. The provisions of this Order shall be in addition to, and not

in derogation of, any other law for the time being in force regulating prices, possession and control of foodstuff.

20. (1) The East Bengal Foodgrains Anti Hoarding Order, 1949 issued under notification No. 8027-D.C.S., dated the 26th September 1949, and the East Bengal Foodgrains Price Control Order, 1950, issued under notification No. 3895-D.C.S, dated the 12th June, 1950, are hereby cancelled.

(2) All notifications, directions or authorizations issued or deemed to be issued under the East Bengal Foodgrains Anti Hoarding Order, 1949, and the East Bengal foodgrains Price Control Order, 1950, which were in force immediately before the commencement of this Order, shall continue in force and be deemed to be issued in pursuance of this Order.

The Schedule

Form I

[See clause 5(3)]

Form of Application for a License to Trader for purchase, Sale, Storage for Sale of Foodstuffs.

(1) Applicant's name .....

(Note - If the application is made on behalf of a corporation body the applicant's position <sup>a- VLS</sup> visa that body should be specially stated)

(2) Applicant's father's name .....

(3) Applicant's profession .....

(4) Applicant's residence .....

(5) Situation of applicant's business premises with particulars as to village, police station and district .....

.....

(6) Location of applicant's godowns or shop where the goods will be kept .....

.....

.....

(7) Names of foodgrains for which license is wanted .....

.....

(8) Area of business for which license is wanted .....

.....

(9) How long the applicant has been trading in the foodstuffs .....

.....

(10) Quantities and kinds of foodstuffs handled annually during the past three years .....

.....

I declare that the following quantities of the foodstuffs are in my possession this day, and are held at the place noted against each .....

.....

(Space to be filled in by the applicant)

I have understood the provisions of the East Bengal Foodstuffs Price Control and Anti hoarding Order, 1953, and the conditions of license Form II of the Schedule to the said Order and I agree to abide by them.

I have not previously applied for such license in this district for the foodstuffs specified in paragraph 7 of this form.

I applied for such license in this district for the foodstuffs specified in paragraph 7 of this for on .....  
..... and was/ was not granted a license on .....  
.....

I declare that I am the Proprietor/ Manager/ Secretary of the firm or organization on behalf of which this application is made.

---

(Note.- Strike out the words or paragraphs which are not applicable)

Signature or left thumb  
Impression of the applicant  
Date .....

Form II

[See clause 5(3)]

License to Trade for Purchase, Sale or Storage for Sale of Foodstuffs.

- (1) Subject to the provisions of the East Bengal Foodstuffs Price Control and Anti Hoarding Order, 1953 and to the terms and Conditions of this license, Mr./Mrs./Ms.....  
.....son of ..... (to be filled in case of individual proprietorship only) of Village/ Town  
..... P.S. .... District  
..... trading as  
..... is/ are authorized to purchase, sell or store for sale all or any of the undermentioned foodstuffs in wholesale quantities :-

Note : The license in the case of corporate body should be issued in favor of the firm or company or corporation, as the case may be.

- (2) The license shall carry on the aforesaid business only (a) at the following place(s) and/or store the foodstuffs mentioned in clause 1 at only the following godown(s) :-  
.....  
(b) within the following area(s) :-  
.....
- (3) The license shall maintain separately for each place or godown mentioned in clause 2 a register of daily accounts for each of the foodstuffs mentioned in clause 1 showing correctly -
  - (a) the opening stock on each day;
  - (b) the quantities received on each day showing the place of origin and the license numbers (if any) of the persons from whom received;
  - (c) the quantities delivered or otherwise removed on each day showing the place of destination if consigned to places outside the destination if consigned to places outside the district and the license numbers, if any, of the purchasers; and
  - (d) the closing stock on each day.

- (4) The licensee shall, in respect of each of the foodstuffs mentioned in clause 1, submit to ..... so as to reach him not later than ..... a true return in Form II of the Schedule to the East Bengal Foodstuffs Price Control and Anti Hoarding Order, 1953 of stocks, receipts and deliveries of the foodstuffs during the preceding month.
- (5) The licensee shall, except when specially exempted by the Provincial Government issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and license number, the date of transaction, the quantity sold, the price per unit/ maund/ pound and the total amount charged, and shall keep a duplicate of the same to be available for inspection on demand by any officer authorized in this <sup>behalf</sup> by the Provincial Government.
- (6) The licensee shall prominently display at each of the places mentioned in clause 2 a correct list written in the language of the Locality, of the prices fixed for the foodstuffs in which he is hereby licensed to deal.
- (7) The licensee shall give all facilities at all responsible times to any officer authorized in this behalf by the Provincial Government for the inspection of his stocks and accounts at any shop, godown or other places used by him for the storage or sale of any of the foodstuffs mentioned in clause 1, and for the weighing of his stocks and for the taking of such foodstuffs for examination.
- (8) The licensee shall comply with any directions that may be given to him by the Provincial Government in regard to the purchase, movement, sale, or storage for sale, of any of the foodstuffs mentioned in clause 1 and in regard to the manner in which accounts shall be kept, returns shall be submitted and receipts or invoices shall be written as mentioned in clauses 3, 4 and 5 respectively of the license.
- (9) If the license is suspended or cancelled it shall be delivered to the officer by whom it was issued within seven days of the service of the order of suspension or cancellation on the licensee.



~~21~~ 64

(10) This license must be attached to any application for renewal.

Seal of the officer issuing the  
license.

Signature and designation of the  
officer issuing the license.

Dated.....

65 42

Form III

Return of Stocks, Receipts and Deliveries of foodstuffs for the month of ..... 19..... submitted by a license dealer.

Name of licensee .....

Address of licensee .....

License No .....

Particulars	<u>Quantity in</u> Unit/Maund/Pounds	<u>Remarks</u> If any
(1) stock at the beginning of the month .....		
(2) Quantity received during the month .....		
Total .....		
(3) Quantity delivered or otherwise removed during the month .....		

I declare that the above is a true and correct return.

Signature or left thumb  
impression of the licensee

Dated .....

## NOTIFICATION

By the Government of East Pakistan, Food and Agriculture Department,  
Food Branch.

No. 5636F.D.—25th June 1956.—In exercise of the power conferred by sub-clause (1) of clause 5 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671 D.C.S., dated the 13th April 1954, the Governor is pleased to direct that no trader in '[foodstuffs] keeping more than 20 maunds of foodgrains at a time in his possession shall carry on business in foodgrains except under and in accordance with the conditions of a licence issued in this behalf by the Provincial Government or any officer authorised by it.

Subs. by Notification No. 6544F.D. dated 17th July 1956 (*Dacca Gazette, Extraordinary*, dated 17th July 1956, page 713).

FOOD AND AGRICULTURE DEPARTMENT

Food Branch

NOTIFICATION.

No. 5461 FD—16th November 1955—In exercise of the power conferred by clause 13 of the East Bengal Foodstuffs Price Control and Anti-hoarding Order, 1953, issued under notification No. 5221 DCS., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended by notification No. 2671 DCS., dated the 13th April 1954 and in supersession of notification No. 8064 DCS., dated the 28th September 1949, the Governor is pleased to authorise all officers of the Food and Agriculture (Food) Department of and above the rank of Sub-Inspectors of Food and all Police Officers of and above the rank of Sub-Inspectors to exercise the powers under the said clause.

By order of the Governor,  
A. MATIN,  
Asstt. Secy.

NOTIFICATIONS

No. 10287-FD—10th November 1956—In exercise of the powers conferred by clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, the Governor is pleased to authorise all Regional Controllers of Food and District Controllers of Food to exercise within their respective jurisdictions all the powers under the said Order, subject to such directions as may, from time to time, be issued in this behalf.

No. 10288 FD—10th November 1956—In exercise of the powers conferred by clause (a) of paragraph 2 of the East Bengal Rice Mills Control Order, 1943, as amended from time to time, the Governor is pleased to authorise all Subdivisional Controllers of Food to exercise within their respective jurisdictions all the powers under the said Order, except the power of cancellation of licence set out in Form II of the schedule appended to the said Order.

By order of the Governor,  
S. H. ALI,  
*Dy. Secy. to the  
Government of East Pakistan.*

GOVERNMENT OF EAST PAKISTAN  
FOOD AND AGRICULTURE DEPARTMENT

Food Branch.

NOTIFICATION

No. 1340 FD.—8th February 1957—In exercise of the powers conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221 D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended from time to time, the Governor is pleased to direct that the officers mentioned in the schedule below shall exercise the powers of the Provincial Government under paragraph (8) of Form II set out in the schedule to the said Order within their respective jurisdiction.—

The Schedule.

- (1) District Controller of Food, Chittagong.
- (2) District Controller of Food, Chittagong Hill-tracts.
- (3) District Controller of Food, Tippera.
- (4) District Controller of Food, Noakhali.
- (5) District Controller of Food, Sylhet.
- (6) District Controller of Food, Mymensingh.
- (7) District Controller of Food, Rajshahi.
- (8) District Controller of Food, Rangpur.
- (9) District Controller of Food, Dinajpur.
- (10) District Controller of Food, Khulna.
- (11) District Controller of Food, Kushtia.
- (12) District Controller of Food, Jessore.

By order of the Governor,  
AMINULLAH,  
*Secy. to the Govt. of East Pakistan.*

GOVERNMENT OF EAST PAKISTAN  
FOOD AND AGRICULTURE DEPARTMENT

Food Branch.

ORDER

No. 447 FD.—15th January 1957—In exercise of the powers conferred under paragraph 8 of Form No. II set out in the Schedule to the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, the Provincial Government is hereby pleased to direct that no licensee having a licence issued in any place outside the areas mentioned in the Schedule below shall purchase or store for sale any rice or paddy within the areas mentioned in the Schedule below. The Provincial Government is pleased further to direct that no licensee having a licence issued within the areas mentioned in the Schedule below shall purchase or store for sale any rice or paddy outside the areas mentioned in the Schedule below or shall sell any rice or paddy to any trader licenced outside the areas mentioned in the Schedule below.—

The Schedule.

Dinajpur district,  
Rangpur district,  
Rajshahi district.  
Bogra district.  
Subdivision of Satkhira in Khulna district.

By order of the Governor,  
S. H. ALI,

*Dy. Secy. to the Govt. of East Pakistan.*

GOVERNMENT OF EAST PAKISTAN  
FOOD DEPARTMENT

ORDER

No. 2736 F.D.—21st March 1957—In exercise of the powers conferred under paragraph 8 of Form No. II set out in the Schedule to the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, the Governor is hereby pleased to direct that no licensee having a licence issued in any place outside the zone comprising of the districts mentioned in the Schedule below shall purchase or store for sale any rice or paddy within the abovementioned zone. The Governor is pleased further to direct that no licensee having a licence issued within the said zone shall purchase or store for sale any rice or paddy outside the zone mentioned above or shall sell any rice or paddy to any trader outside the said zone.

This supersedes Order No. 447 F.D., dated the 15th January 1957, published in the *Dacca Gazette, Extraordinary*, Part I, dated the 16th January 1957.

The schedule.

Dinajpur district, Rangpur district, Rajshahi district, Bogra district and Kushtia district.

By order of the Governor,  
AMINULLAH,

*Secy. to the Govt. of East Pakistan.*

46(1) THE ESSENTIAL ARTICLES (PRICE CONTROL AND ANTI-  
HOARDING) ACT, 1953 (E.B. ACT XXII of 1953 [5th October, 1953])

- Extract -

An Act to make provision for the control of supply and distribution of, and trade and commerce in, certain limited number of essential commodities.

WHEREAS it is expedient to make provision for the control of supply and distribution of, and trade and commerce in, certain limited number of essential commodities;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Essential Articles (Price Control and Anti-Hoarding) Act, 1953.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

(a) "essential article" means any article, other than an article which is an "essential commodity" within the meaning of section 2 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), which the Provincial Government may, from time to time, declare by notification, to be an

article to which the provisions of this Act shall apply;

- (b) "family" includes all persons who live in a private house and are members of the same mess;
- (c) "notification" means a notification published in the Official Gazette;
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "~~retailer~~" means a trader who sells any essential article directly to a consumer;
- (f) "trader" means any person engaged in the purchase, sale or storage for sale of any essential article; and
- (g) "wholesaler" means a trader other than a retailer.

3. Power to fix prices and to require marking of prices.- (1) The Provincial Government may, from time to time, by notification, fix the maximum prices at which an essential article may be sold by a retailer, wholesaler or any other person and for this purpose may fix different prices for different areas of the Province.

(2) The Provincial Government may, by notification, require any trader to mark, on any essential article, the maximum prices fixed under sub-section (1), in such manner as may be prescribed and the traders concerned shall mark

such article accordingly. Such trader shall exhibit in a prominent place in the shop or godown a list showing the maximum prices of essential articles fixed under the said sub-section.

(3) A notification under sub-section (1) shall specify date from which and the period for which the maximum price has been fixed.

4. Prohibition against purchase, sale, etc., at prices exceeding the maximum price.- (1) Notwithstanding anything contained in any contract, ~~an~~ no retailer or wholesaler shall sell or purchase, or deliver or accept delivery of, any essential article at a price exceeding the maximum price fixed under sub-section (1) of section 3.

(2) No trader shall sell or offer or exhibit for sale any essential article in respect of which marking of maximum prices has been required under sub-section (2) of section 3, unless such article has been so marked.

5. Power to control possession of essential article.- (1) The Provincial Government may, by notification, direct that no family, wholesaler or retailer shall keep in its or his possession or under its or his control any essential article in excess of the quantity specified in such notification.

Explanation.- For the purpose of this section, the



possession or control of any one member of a family shall be deemed to be the possession or control of every adult member of that family.

(2) If, on the date <sup>of issue</sup> of a notification under subsection (1) in respect of any essential article, any family, wholesaler or retailer has in its or his possession any quantity of such essential article in excess of the quantity specified in such notification, the head of the family, wholesaler or retailer concerned shall forthwith report the fact to the Provincial Government or to such officer as may be empowered in this behalf by the Provincial Government and shall take such action as to storage, distribution or disposal of the excess quantity as the Provincial Government or such officer may direct.

6. Power to require licence for trading.- The Provincial Government may, by notification, direct that no trader or class of traders shall deal in any essential article except under, and in accordance with the conditions of, a licence issued, in this behalf by the Provincial Government, on payment of such fees and in such manner and form as may be prescribed. An application for such licence shall be accompanied by such fee as may be prescribed.

7. Power to compel sales to specified person.- The Provincial Government may, by general or special orders in writing, require any trader holding stock of an essential article to sell the whole or specified part thereof at prices

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not exceeding the maximum fixed under sub-section (I) of section 3, to such person or class of persons and in such circumstances or under such permits as may be specified in the order and the trader concerned shall comply with such order.

Prohibition against withholding of sale.-

8./No trader shall, unless previously authorised to do so by the Provincial Government, withhold from sale or refuse to sell to any person, any essential article in quantities and contrary to the normal practices of his business.

9. Power to require maintenance of accounts, etc., and registration godowns.- (I) Any officer, authorised in this behalf by the Provincial Government, may, by general or special order in writing,-

- (a) require a trader to maintain accounts relating to any transaction in such manner and form as may be prescribed;
- (b) require a trader to submit such accounts, returns, reports or statements relating to any transactions, in such manner and form and to such officer as may be prescribed;
- (c) require a trader to cause his storage godown to be *registered* on payment of such fees and in such manner and within such period as may be prescribed; and

(d) require a trader to keep hung up in his business centre a notice-board *quoting* therein the daily stock of essential articles held by him in his stock.

(2) No trader whose godown has been registered under clause (c) of sub-section (1) shall store any essential article in any place other than the godown so registered.

10. Power to enter, inspect, search etc.- Any officer, authorised in this behalf by the Provincial Government, may-

- (a) enter upon and inspect any premises, tents, vessels or vehicles used or believed to be used for the purchase, sale, transfer or storage for sale of any essential article;
- (b) enter upon and search any premises, tents, vessels, or vehicles and seize any essential article, together with the containers thereof, in respect of which he has reason to believe that contravention of this Act has been committed;
- (c) direct the owner, occupier or other persons in charge of such premises, tents, vessels, or any trader to produce any books, accounts, vouchers or other documents relating to the purchase, sale or storage for sale of any essential article or

to furnish such information relating to such transactions <sup>as the officer so authorised may require; but</sup> ~~as~~ the officer so authorised shall not require any family which has stored essential articles for consumption and not for sale to produce books, accounts, vouchers or other documents relating to the purchase of any such essential articles;

- (d) inspect or cause to be inspected any books, accounts, vouchers or other documents relating to such transactions; and
- (e) take or cause to be taken extracts from, or copies of, any document relating to such transactions.

11. Provisions of the Act <sup>not</sup> to apply in case of Government purchase, etc.- The provisions of this Act shall not apply to the purchase, storage or distribution, of any essential article by or on behalf of the Provincial Government or the Central Government.

12. Power to exempt.- The Provincial government may, by notification, exempt any person or class of persons from all or any of the provisions of this Act subject to such conditions, if any, as may be specified.

13. Penalties.- If any person contravenes any of the provisions of this Act, he shall be deemed to have committed an offence under section 3 of the Hoarding and Black Market

Act, 1948, and the provisions of that Act shall apply accordingly.

14. Attempts and abetments.- Any person who attempts to contravene, or abets a contravention of, any provision of this Act shall be deemed to have contravened that provision.

15. Delegation of power.- The Provincial Government may, by notification, direct that any power or duty which is conferred or imposed by this Act on the Provincial Government shall, subject to such conditions, if any, as may be specified in the notification, be exercised or discharged also by any officer or authority subordinate to it.

16. Public servant.- Any person empowered to do anything under this Act shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code.

17. Power to make rules.- The Provincial Government may make rules for carrying out the purposes of this Act.

18. Indemnity.- (1) No suit, prosecution or other legal proceeding shall ~~be~~ lie against any person for anything which is, in good faith, done or intended to be done in pursuance of any provision of this Act and the rules made thereunder.

(2) No suit or other legal proceeding shall ~~be~~ lie against the Provincial Government for any damage caused or likely to be caused by anything which is, in good faith, done

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or intended to be done in pursuance of any provision of this Act and the rules made thereunder.

19. Repeal and saving.- (1) The Essential Articles (Price Control and Anti-Hoarding) Ordinance, 1953 (East Bengal Ordinance No.VII of 1953), is hereby repealed.

(2) Any orders passed or anything done or any action taken or any proceedings commenced under any provision of the said Ordinance shall continue in force and be deemed to have been passed, done, taken or commenced under the corresponding provision of this Act.

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## ORDER

By the Government of East Bengal, Food and Agriculture Department, Food Branch.

No. 2090-F.D.-9th March, 1956.- In exercise of the powers under sub section (1) of section 3 of the Essential Supplies (Continuance of Temporary Powers) Ordinance, 1955, (Ordinance No. X of 1955), read with the notification of the Government of Pakistan in the Ministry of Food, Agriculture and Health No. PY-16/47, dated the 3rd February, 1948 and in supersession of the Bengal Essential Foodstuffs Anti Hoarding Order, 1944, issued under notification No.1728-D.C.S., dated the 4th March, 1944, as subsequently amended, the Governor is pleased to make, with the concurrence of the Government of Pakistan, the following Order, namely :-

1. (1) This order may be called the East Bengal Essential Foodstuffs Anti Hoarding Order, 1956.

(2) It extends to the whole of East Bengal.

(3) It shall come into force in such areas and on such dates as the Provincial Government may, by notification in the Official Gazette, direct.

2. In this order, unless there is anything repugnant in the subject or context, -

(1) "essential foodstuffs" means any foodstuffs specified in Schedule 1 to this Order;

(2) "normal quantity" of any essential foodstuff means the quantity specified in respect of such foodstuff in Schedule II to this Order.

3. No person shall bring any essential foodstuff by land, water or air into any area in which this Order is in force, except under and in accordance with the conditions of a permit granted in this behalf by an officer authorized for this purpose by the provincial government.

4. No person shall have in his possession or under his control, except under and in accordance with the conditions of a license granted in this behalf by an officer authorized for this purpose by the Provincial Government more than the normal quantity of any essential foodstuff.

Explanation. - In the case of a person who is householder, the normal quantity shall be deemed to be the agreement of the normal quantities specified for each member of his household including any

servants living in and forming <sup>part</sup> of the household.

5. (1) A permit under paragraph 3 or a license under paragraph 4 shall be issued in such form as the Provincial Government may, by notification in the Official Gazette, prescribe.

(2) The Provincial Government may, by notification in the official Gazette, specify -

(a) The scale of fees leviable in respect of any such permits or license, and

(b) The manner, in which such fees shall be payable.

6. Any officer authorized by the Provincial Government in this behalf by a general or special order may enter upon and inspect any premises in which he has reason to believe that any essential foodstuff is being possessed or held in contravention of the provisions of this order.

7. (1) If any person contravenes the provisions of paragraph 3 or paragraph 4 of the Order, then without prejudice to any punishment to which he may be liable, the Court trying the offence may, <sup>order</sup> that any stocks of any essential foodstuffs together with the packages and covering thereof in respect of which the court is satisfied that the offence has been committed shall be forfeited to the Provincial Government.

(2) Any essential foodstuff moved or attempted to be moved in contravention of paragraph 3 of this Order shall be liable to seizure by such person as the Provincial Government may specify.

8. The provisions of this Order shall not apply to the movement or possession of any essential foodstuff by or on behalf of the Provincial government or the Central government.

9. The Provincial Government may by order exempt any person or class of persons from any or all the provisions of this Order, subject to such conditions, if any, as may be specified in such order.

10. (1) Any officer authorized under paragraph 3 and 4 may, issue <sup>road</sup> permits for the purpose of the movement of any essential foodstuff by any persons from one non statutory rationed area to another non statutory rationed area through a rationed area, subject to such conditions as may prescribed in the road permit.

(2) A <sup>permit</sup> road shall be issued in such form as the Provincial Government may, by notification in the Official Gazette prescribe.

(3) The Provincial Government may, by notification, specify



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the fee which may be charged in respect of issue of any road permit in the manner in which such fees shall be paid.

## Schedule I

- (1) Rice husked and in the husk.
- (2) Wheat, Atta, Flour and Suji.
- (3) Sugar.

## Schedule II

Essential Foodstuff.	Adult	Normal Quantity	
		Child of the age of 2 years and over and under 12 years	Child under the age of 2 years

- |   |         |         |         |
|---|---------|---------|---------|
| 1. Rice (husked or in the husk), wheat, atta, flour and suji in any combination | 8 units | 4 units | Nil     |
| 2. Sugar .....  |         |         | 8 units |

Explanation. - A unit for the purpose of this schedule shall have the same value as laid down in Schedule "C" to the East Bengal Urban Area Rationing Regulations, 1956.

No. 825 D.C.S.—2nd February 1952—In exercise of the power conferred by clause 3A of the East Bengal Foodgrains Anti-Hoarding Order, 1949, published under notification No. 8027 D.C.S., dated the 26th September 1949, published in an extraordinary issue of the *Dacca Gazette*, dated the 27th September 1949, Part I, page 757, the Governor is pleased to direct that all wholesale and retail traders shall maintain proper accounts of daily purchases and sales in Forms I and II below:—

FORM I.

DAILY RECEIPT, SALE AND STOCK REGISTER OF DEALERS.

Date.	Opening balance of the day.						Receipts during the day.						Issues during the day.						Closing balance.						Remarks, if any.
	Rice.			Paddy.			Rice.			Paddy.			Rice.			Paddy.			Rice.			Paddy.			
	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	Md.	Sr.	Ch.	

*N. B.*—The Register should show in clear and unambiguous language the name of the dealer, his place or places of business, his full and complete address.

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FORM II.  
(PURCHASE AND SALES LEDGER.)

Commodity : Paddy/Rice.

Purchase.					Sale.				
Date of purchase.	The name of the persons from whom purchased.	Quantity.	Rate per unit.	Voucher number.	Date of sale.	Names of persons to whom sold.	Quantity sold.	Rate per unit.	Voucher number.
1	2	3	4	5	6	7	8	9	10
					1.				
					2.				
					3.				
					4.				
					5.				
					6.				
					7.				
					8.				
					9.				
					10.				

*N.B.*—Each purchase should be noted on a separate page. On the left hand side should be noted the purchase and on the right hand side sales against that purchase. Rice and Paddy should be noted on separate pages or parts of the book, or if found convenient, separate books should be maintained.

By order of the Governor,  
S. B. HATCH-BARNWELL, Secy.

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No. 5460F.D.—16th November 1955.—In exercise of the power conferred under sub-clause (1) of clause 3 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671D.C.S., dated the 13th April 1954, the Governor is pleased to order that the prices of foodgrains in respect of which an order has been issued under clause 8 of the said order shall be as follows:—

	Rice husked.	Rice in the husk (paddy).
	Per Md.	Per Md.
	Rs. as. p.	Rs. as. p.
(1) Sale to private parties—		
Wholesale .. .. .	17 0 0	10 0 0
Retail .. .. .	18 0 0	11 0 0
2) Sale to Government ..	12 0 0	7 4 0

*Explanation.*—A “maund” means the weight equivalent to a standard maund of 40 seers of 80 tolas per seer.

No. 5461F.D.—16th November 1955.—In exercise of the power conferred by clause 13 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671D.C.S., dated the 13th April 1954, and in supersession of notification No. 8064D.C.S., dated the 28th September 1949, the Governor is pleased to authorise all officers of the Food and Agriculture (Food) Department of and above the rank of Sub-Inspectors of Food and all Police Officers of and above the rank of Sub-Inspectors to exercise the powers under the said clause.

No. 5462F.D.—16th November 1955.—In exercise of the power conferred by clause 10 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221 D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended by notification No. 2671 D.C.S., dated the 13th April 1954, the Governor is pleased to authorise the officers mentioned below to issue general or special order under paragraphs (a), (b) and (c) of the said sub-clause:—

- (1) All District Magistrates and Deputy Commissioners.
- (2) All Subdivisional Officers.

No. 5463F.D.—16th November 1955.—In exercise of the power conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended by notification No. 2671D.C.S., dated the 13th April 1954, the Governor is pleased to direct that the powers under clause 8 of the said order shall be exercised by the officers mentioned below:—

- (1) All District Magistrates and Deputy Commissioners.
- (2) All Subdivisional Officers.

No. 5464F.D.—16th November 1955.—In exercise of the powers conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended by notification No. 2671D.C.S., dated the 13th April 1954, the Governor is pleased to direct that the District Magistrates and the Deputy Commissioners shall exercise powers of the Provincial Government under clause 13 of the said order within their respective jurisdictions.

#### NOTIFICATIONS

##### By the Government of East Bengal, Department of Civil Supplies.

No. 6589D.C.S.—26th September 1952.—In exercise of the power conferred by clause 4 of the East Bengal Foodgrains Anti-Hoarding Order, 1949, published under notification No. 8027D.C.S., dated the 26th September, 1949, in the *Extraordinary* issue of the *Dacca Gazette*, dated the 27th September, 1949, and as amended from time to time, the Governor is pleased to authorise the following categories of officers to exercise the powers under sub-clauses (a) and (b) of the said clause:—

- (i) All Magistrates and Circle Officers.
- (ii) All Officers of the Agriculture Department of and above the rank of Assistant Inspectors.
- (iii) All Officers of the Revenue Department of and above the rank of Khas Mahal Tahsildars.
- (iv) All Officers of the Relief Department of and above the rank of Relief Officers.
- (v) All Sub-Registrars.
- (vi) All Officers of the Co-operation Department of and above the rank of Inspectors.

No. 5637F.D.—25th June 1956.—In exercise of the power conferred by sub-clause (2) of clause 5 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221 D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671 D.C.S., dated the 13th April 1954, the Governor is pleased to specify the following scale of fees which shall be charged for the grant of licences and for the renewal of licences issued in Form II set out in the schedule to that Order, and that the licences shall be valid during the financial year beginning on 1st April and ending on 31st March following in which the new licences or the renewal of the licences is granted:—

- (i) New licence fee—Rs.10.
- (ii) Annual renewal fee—Rs.5.
- \* (iii) Fee for the grant of a duplicate licence, if the original one is defaced, lost or destroyed—Rs.10.
- (iv) Fee for the grant of an extra copy of the licence—Re.1.

The amount shall be paid by crediting the same into the local Treasury under the head "85A—Capital Outlay, etc."

No. 5638F.D.—25th June 1956.—In exercise of the power conferred by sub-clause (3) of clause 5 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221 D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671 D.C.S., dated the 13th April 1954, the Governor is pleased to authorise the officers mentioned below to exercise the powers under the said sub-clause within their respective jurisdictions:—

- (1) All District Magistrates and Deputy Commissioners.
- (2) All District Controllers of Food.
- (3) All Subdivisional Officers.
- (4) All Subdivisional Controllers of Food.

No. 1290F.D.—15th February 1956.—In exercise of the power conferred by sub-clause (3) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221 D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended by notification No. 2671 D.C.S., dated the 13th April 1954, the Governor is pleased to authorise the officers mentioned below to exercise the powers under the said sub-clause:—

- (1) All District Magistrates and Deputy Commissioners.
- (2) All Subdivisional Officers.

No. 5458F.D.—16th November 1955.—In exercise of the power conferred by sub-clause (3) of clause 1 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended by notification No. 2671D.C.S., dated the 13th April 1954, the Governor is pleased to direct that the above order shall come into force in the whole of East Bengal with effect from the date of publication of this notification in the *Dacca Gazette*.

\*As amended by notification No. 2285F.D., dated 7th March 1957.

## NOTIFICATIONS

No. 8434F.D.—13th September 1957.—In exercise of the powers conferred by sub-clause (1) of clause 3 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, as amended from time to time, and in supersession of notification No. 5918-F.D., dated the 2nd July 1956, the Governor is pleased to direct that in the rationed areas in East Pakistan in which the Bengal Rationing Order, 1943, is in force, the maximum retail price of the commodities mentioned in column I of the schedule below shall be as specified in the corresponding entries in column II of the said schedule.

## Schedule.

Column I.		Column II.		
Commodity.		Maximum retail price per seer.		
		Rs.	as.	p.
1.	Rice .. .. .	0	8	0
2.	Rice in the husk (paddy) .. .. .	0	5	0
3.	Wheat .. .. .	0	7	9
4.	Atta .. .. .	0	8	0
5.	Flour .. .. .	0	11	9
6.	Sugar .. .. .	1	4	0
7.	Suji .. .. .	0	11	9

No. 7429F.D.—22nd August 1956.—In exercise of the power conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and as amended from time to time, the Governor is pleased to direct that the powers under clauses 8 and 13 of the said Order shall be exercised by the Regional Controllers of Food, within their respective jurisdictions.

No. 8015F.D.—10th September 1956.—In exercise of the power conferred by sub-clause (2) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and as amended from time to time, the Governor is pleased to direct, in supersession of notification No. 4295F.D., dated the 26th May 1956, that—

- (1) No trader shall retain any foodstuffs in his possession for more than 20 days in all from the date of his purchase and in no case for more than 7 days in one place. In any case, where the stock has been in transit by rail or steamer for a longer period than 7 days such additional period shall not count against the total of 20 days.
- (2) The above does not apply to any stock of Government foodstuffs held by any ration dealer.

No. 7900F.D.—7th September 1956.—In exercise of the power conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, as amended from time to time, the Governor is pleased to direct that the Regional Controllers of Food shall exercise the powers of the Provincial Government under sub-clause (3) of clause 5, sub-clause (3) of clause 7 and clause 10 of the said Order and the District Controllers of Food and the Subdivisional Controllers of Food shall exercise the powers of the Provincial Government under sub-clause (3) of clause 7 and clauses 8 and 10 of the said Order within their respective jurisdictions.

No. 10744F.D.—24th November 1956.—In exercise of the powers conferred by sub-clause (1) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and as amended from time to time, the Governor is pleased to direct that no family, wholesaler, retailer or trader shall keep in its or his possession or under its or his control any rice issued from Government sources in excess of the quantity lawfully obtained by them against their own Ration Cards, Delivery Orders or Permits issued by, or purchased by them in an auction sale held by the authority competent to issue such Ration Cards, Delivery Orders or Permits or to conduct such sale.

No. 1340F.D.—8th February 1957.—In exercise of the powers conferred by clause 16 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended from time to time, the Governor is pleased to direct that the officers mentioned in the schedule below shall exercise the powers of the Provincial Government under paragraph (8) of Form II set out in the schedule to the said Order within their respective jurisdictions—

**The Schedule.**

- (1) District Controller of Food, Chittagong.
- (2) District Controller of Food, Chittagong Hill-tracts.
- (3) District Controller of Food, Tippera.
- (4) District Controller of Food, Noakhali.
- (5) District Controller of Food, Sylhet.
- (6) District Controller of Food, Mymensingh.
- (7) District Controller of Food, Rajshahi.
- (8) District Controller of Food, Rangpur.
- (9) District Controller of Food, Dinajpur.
- (10) District Controller of Food, Khulna.
- (11) District Controller of Food, Kushtia.
- (12) District Controller of Food, Jessore.



No. 2348F.D.—9th March 1957.—In exercise of the power conferred by sub-clause (1) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953, and as amended from time to time, the Governor is pleased to direct that no family shall have in its possession or control at a time foodstuffs in excess of the quantity calculated at the rate of 15 seers of rice or 22 seers of paddy for an adult member of the family, and 7 seers of rice or 10 seers of paddy for a person aged less than 8 years, unless the whole of the stock in the possession of such family is the produce of its own land. This order is without prejudice to any other orders already in force restricting the possession of these commodities.

If any family is at present holding stocks in excess of the permissible amount, the Governor is pleased to direct under the powers conferred on the Provincial Government under sub-clause (3) of clause 7 of the said Order that such family shall dispose of them before the 24th March 1957.

*Explanation.*—In case the stock in the possession of a family consists partly of rice and partly of paddy, one and a half seer of paddy will count as one seer of rice for the purpose of calculating the maximum quantity of rice allowed to be kept by a family under this order.

No. 2809F.D.—22nd March 1957.—In exercise of the power conferred by sub-clause (1) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended from time to time, the Governor is pleased to direct that no family, being the producer of paddy from its own land, shall keep in its possession or control at a time any quantity of paddy in excess of 50 maunds; including the seed requirements.

If any family is holding stocks in excess of the permissible quantity, then the head of the family shall report the fact before the \*30th April 1957 to the local Subdivisional Controller of Food, who is empowered to take such action as to storage, distribution or disposal of the excess quantity.

*Explanation*—For the purpose of this notification one maund of rice will count as one and a half maund of paddy.

No. 4376F.D.—14th May 1957.—In exercise of the power conferred by sub-clause (1) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and published in the *Dacca Gazette, Extraordinary*, of the 10th August 1953 and as amended from time to time, the Governor is pleased to direct, in partial modification of notification No. 2809F.D., dated the 22nd March 1957, as amended by notification No. 3257F.D., dated the 3rd April 1957, that if any family is holding stocks of new Boro paddy, produced from its own land, in excess of the permissible quantity, then the head of the family may report the fact to the local Subdivisional Controller of Food till 20th May 1957.

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\*As amended by notification No. 3257F.D., dated 3rd April 1957.

## NOTIFICATIONS

No. 6017-F.D.—28th June 1957—In exercise of the powers conferred by clause 12 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953 and as amended from time to time, the Governor is pleased to exempt the employers of labours mentioned in the schedule below from the operation of notification No. 8015F.D., dated the 10th September 1956, in respect of keeping in their possession foodstuffs, for *bona fide* consumption of their employees, without any time limit.

## The Schedule.

1. Adamjee Jute Mills, Narayanganj
2. Chittagong Jute Mills, Chittagong
3. Anan Jute Mills, Chittagong
4. People Jute Mills, Khulna
5. Crescent Jute Mills, Khulna
6. Daulatpur Jute Mills, Khulna
7. Karnafully Paper Mills, Chittagong Hill-tracts
8. Muslin Cotton Mills, Dacca
9. P. I. D. C. News Print Projects, Khulna
10. Latif Bhawani and Ahmed Bhawani Jute and Textile Mills, Dacca
11. Khulna Ship Yard, Khulna
12. Nishat Jute Mills, Tongi, Dacca
13. Star Jute Mills, Khulna
14. Dacca Jute Mills, Dacca
15. I. G. N. & R. S. N. Company, Narayanganj
16. Pak Bay and Co. Ltd., Narayanganj
17. Sattar Match Works, Dacca
18. Pak Jute Balers, Narayanganj
19. Pak Flotilla, Narayanganj
20. Pak Match Factory, Khulna
21. Pak Jute Bales, Khulna
22. Bhangura Jute Bailing, Khulna
23. Helal Jute Press, Khulna
24. Rally Brothers, Khulna
25. Carew & Co., Darshana, Kushtia
26. Setabganj Sugar Mills, Dinajpur
27. North Bengal Sugar Mills, Rajshahi
28. Dacca Bricks & Tiles Factory
29. M. M. Ispahani, Chittagong
30. Daulatpur Jute Baling, Khulna
31. Anchorage Handling Agencies, Khulna
32. Labour Syndicate, Khulna

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33. P. T. A., Sylhet
34. A. K. Khan, Chittagong
35. Pak Tobacco, Chittagong
36. Pak Oxyzen, Chittagong
37. Chittagong Textiles, Chittagong
38. Lipton Tea, Chittagong
39. Burma Oil Co., Chittagong
40. P. N. T. A., Ambarkhana, Sylhet
41. Karnafully Hydro Electric Project, Chittagong Hill Tracts
42. Olympia Textiles Mills, Tongi, Dacca
43. Siddirganj Power Station, Narayanganj
44. Dacca Match Factory, Dacca
45. Zeenat Textile, Dacca
46. Dacca Tannery, Dacca
47. Bux Rubber Factory, Dacca
48. Prabartak Sangha, Chittagong
49. National Cotton Mills, Chittagong
50. Chittagong Machinery, Chittagong
51. Thandari Tea Association, Chittagong
52. A. G. Trading, Chittagong
53. Tannery Association, Chittagong
54. Hossain Gausul, Chittagong
55. Air Port, Chittagong
56. Textile Mills, Chittagong
57. Ibrahim Match Factory, Chittagong
58. Pak P. W. D., Chittagong
59. Jubilee Tannery, Chittagong
60. Pak Kopac Mills, Chittagong
61. Tatari Glass Works, Chittagong
62. Mohammadi Re-rolling Mills, Chittagong
63. Chittagong Match Factory, Chittagong
64. Bengal Tanneries, Chittagong
65. E. P. Tanneries, Chittagong
66. Mohammadi Oil Mills, Chittagong
67. Pak Industries, Chittagong
68. Deputy Engineer, Telegraph, Chittagong
69. Mohammadi Iron Safe, Chittagong
70. Pak National Tanneries, Chittagong
71. Metropolita Tanneries, Chittagong
72. Madena Tanneries, Chittagong
73. Orient Tanneries, Chittagong

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74. Chittagong Tanneries, Chittagong
75. Roshahan Tanneries, Chittagong
76. Standard Vacuum Co., Chittagong
77. Seraj Tanneries, Chittagong
78. Q. P. Bone Mills, Chittagong
79. Chittagong Jute Mfg. Co., Chittagong
80. Pak Industries, Chittagong
81. Tara Iron & Steel, Chittagong
82. Metropak Trading, Chittagong
83. H. N. Podder, Hardware Industries, Khulna
84. Magra Jute Co., Khulna
85. Pakistan Allied Industries, Khulna
86. A. P. C. C. Mills, Khulna
87. Khulna Industries, Khulna
88. Goalpara Hydro Electric Project, Khulna

No. 7951F.D.—29th August 1957.—In exercise of the powers conferred by sub-clause (1) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No. 5221D.C.S., dated the 8th August 1953, and as amended from time to time, the Governor is pleased to direct, in partial modification of notification No. 2809F.D., dated the 22nd March 1957, as amended, that if a family is holding stocks of new Aus paddy produced from its own lands in excess of the permissible quantity, then the head of the family of the districts mentioned in schedule I below shall report the fact to the local Subdivisional Controller of Food up to 15th September 1957, and the head of the family of the districts mentioned in schedule II below shall report the fact to the local Subdivisional Controller of Food up to 30th September 1957.

#### Schedule I.

Districts of Sylhet, Tippera, Noakhali, Chittagong, Chittagong Hill Tracts, Dacca and Mymensingh.

#### Schedule II.

Districts of Faridpur, Rangpur, Bakarganj, Kushtia, Pabna, Dinajpur, Khulna, Bogra, Rajshahi and Jessore.

No. 10232F.D.—16th November 1957.—In exercise of the powers conferred by sub-clause (g) of clause 2 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, issued under notification No 5221 D. C. S., dated the 8th August 1953 and as amended from time to time, the Governor is pleased to declare the following commodities as foodstuffs for the purpose of the said Order, namely:—

- (1) Sugar, including Khandsari sugar.
- (2) Sugar products, including sugar-candy (both crystalline and un-crystalline), Lozenges and Toffee.

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~~Explanation.—A unit for the purpose of this schedule shall have the same value as laid down in Schedule C to the East Bengal Urban Area Rationing Regulations, 1956.~~

#### NOTIFICATIONS

No. 3762F.D.—5th May 1956.—In exercise of the power conferred by subparagraph (3) of paragraph 1 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to direct that the said Order shall come into force with immediate effect in the areas specified in schedule below:—

#### Schedule.

- (1) The area under and adjacent to Dacca Municipality.
- (2) The area under and adjacent to Narayanganj Municipality.
- (3) The area under Chittagong Municipality.
- (4) The area under Comilla Municipality.
- (5) The area under Mymensingh Municipality.
- (6) The area under Kishoreganj Municipality.
- (7) The area under Netrakona Municipality.
- (8) The area under Jamalpur Municipality.
- (9) The area covered by Munshiganj town.
- (10) The area under Brahmanbaria Municipality.
- (11) The area under and adjacent to Faridpur Municipality.
- (12) The mauzas and portion of mauzas of Madaripur Municipality.
- (13) The area under Serajganj Municipality.
- (14) The area under Pabna Municipality.
- (15) The area under Rajbari Municipality.
- (16) The area under Kushtia Municipality.
- (17) The area under and adjacent to the Tangail Municipality.
- (18) The area covered by Saidpur town.
- (19) The area under Chandpur Municipality.

*Explanation.*—The areas mentioned above have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

No. 3763F.D.—5th May 1956.—In exercise of the power conferred by paragraph 3 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to authorise the officers specified in Column I of the schedule below to grant permits under the said paragraph within the areas specified in corresponding entries in Column II of the said schedule.

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Schedule

Column I. <i>Officer.</i>	Column II. <i>The rationed areas of—</i>
(1) The Controller of Dacca Rationing and the Assistant Controller of Dacca Rationing.	Dacca.
(2) The District Controller of Food of Chittagong.	.. Chittagong.
(3) The District Controller of Food of Tippera	.. Comilla.
(4) The District Controller of Food of Mymensingh	.. Mymensingh.
(5) The District Controller of Food of Faridpur	.. Faridpur.
(6) The District Controller of Food of Pabna	.. Pabna.
(7) The District Controller of Food Kushtia	.. Kushtia.
(8) The Subdivisional Controller of Food of Narayanganj	.. Narayanganj.
(9) The Subdivisional Controller of Food of Chandpur	.. Chandpur.
(10) The Subdivisional Controller of Food of Brahmanbaria	.. Brahmanbaria.
(11) The Subdivisional Controller of Food of Kishoreganj	.. Kishoreganj.
(12) The Subdivisional Controller of Food of Tangail	.. Tangail.
(13) The Subdivisional Controller of Food of Jamalpur	.. Jamalpur.
(14) The Subdivisional Controller of Food of Netrakona	.. Netrakona.
(15) The Subdivisional Controller of Food of Madaripur	.. Madaripur.
(16) The Subdivisional Controller of Food of Serajganj	.. Serajganj.
(17) The Subdivisional Controller of Food of Munshiganj	.. Munshiganj
(18) The Subdivisional Controller of Food of Goalundo	.. Rajbari.
(19) The Town Rationing Officer of Saidpur	.. Saidpur.

\*Explanation.—The rationed areas mentioned above have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

No. 3764F.D.—5th May 1956.—In exercise of the power conferred by paragraph 4 of the East Bengal Essential Foodstuffs Anti-Hoarding, Order, 1956, the Governor is pleased to authorise the officer specified in column I of the schedule below to grant licences under the said paragraph within the areas specified in corresponding entries in column II of the said schedule.

Schedule

Column I. <i>Officer.</i>	Column II. <i>The rationed areas of—</i>
(1) The Controller of Dacca Rationing and the Assistant Controller of Dacca Rationing.	Dacca.
(2) The District Controller of Food of Chittagong	.. Chittagong.
(3) The District Controller of Food of Tippera	.. Comilla.
(4) The District Controller of Food of Mymensingh	.. Mymensingh.
(5) The District Controller of Food of Faridpur	.. Faridpur.
(6) The District Controller of Food of Pabna	.. Pabna.
(7) The District Controller of Food of Kushtia	.. Kushtia.

Column I.  
 Officers.

Column II.  
 Rationed areas  
 of—

- (8) The Subdivisional Controller of Food of Narayanganj .. Narayanganj.
- (9) The Subdivisional Controller of Food of Chandpur .. Chandpur.
- (10) The Subdivisional Controller of Food of Brahmanbaria .. Brahmanbaria.
- (11) The Subdivisional Controller of Food of Kishoregonj .. Kishoregonj.
- (12) The Subdivisional Controller of Food of Tangail .. Tangail.
- (13) The Subdivisional Controller of Food of Jamalpur .. Jamalpur.
- (14) The Subdivisional Controller of Food of Netrakona .. Netrakona.
- (15) The Subdivisional Controller of Food of Madaripur .. Madaripur.
- (16) The Subdivisional Controller of Food of Serajganj .. Serajganj.
- (17) The Subdivisional Controller of Food of Munshiganj .. Munshiganj.
- (18) The Subdivisional Controller of Food of Goalundo .. Rajbari.
- (19) Town Rationing Officer of Saidpur .. Saidpur.

*Explanation.*—The rationed areas mentioned above have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

No. 3765F.D.—5th May 1956.—In exercise of the power conferred by subparagraph (1) of paragraph 5 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to direct that the permit issued under paragraph 5 and the licence issued under paragraph 4 of the said Order shall be in Form A and Form B respectively specified below.

FORM A.

(Permit to import under paragraph 3 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956.)

Subject to the provisions of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, and the conditions of this permit.....is hereby permitted to move the undermentioned quantities of essential foodstuffs from.....to.....

Description of commodity.	Mds.	Srs.	Ch.
Rice—			
Paddy—			

1. This permit shall be valid only up to.....and shall cover only rice/paddy produced by the permit-holder or members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars*.

2. This permit does not authorise the permit-holder to bring any rice/paddy which was not produced by the permit-holder or members of his family with or without the help of paid labourers, or by his *adhiars*, *bargadars* or *bhagdars*.

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3. On arrival of the consignment and covered by this permit, the permit-holder shall, as soon as he obtains delivery of the consignment, surrender the permit to the authority issuing it and take out a licence under paragraph 4 of the said Order for the possession of any stock held by him in excess of the normal quantity specified in schedule II to the said Order.

4. This permit does not authorise the permit-holder to possess any essential foodstuffs in excess of the normal quantity which he is entitled to have in his possession or under his control under the provisions of the said Order.

Signature of the officer issuing the permit.....

Date.....

FORM B.

(Licence under paragraph 4 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, for the possession of essential foodstuffs.)

Subject to the provisions of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, and the conditions of this licence.....

.....is authorised to have under his/her control or in his/her possession at.....the undermentioned quantities of essential foodstuff for the use of him/herself and..... members of his/her household.

Name of commodity.	Mds.	Srs.	Ch.

1. This licence is subject to the condition that the ration cards issued to the licensee and the aforesaid members of his/her household under the Bengal Rationing Order, 1943, or any Regulation made thereunder, shall not be used and shall not be available for lawful use during such period to the extent of the amount of such foodstuff so held in his/her possession.

2. The licensee shall, at the time of taking delivery of this licence, present his/her ration card and the ration cards of the aforesaid members of his/her household to the officer issuing the licence for necessary endorsements by the Rationing Authority.

Signature of the officer issuing the licence.....

Date.....



No. 3766F.D.—5th May 1956.—In exercise of the power conferred by clause (a) of sub-paragraph (2) of paragraph 5 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to specify the fees mentioned in column II of the table below to be the fees leviable in respect of the permits and licences mentioned in the corresponding entries in column I of the said table.—

Column I.	Column II.
<i>Permits and Licences.</i>	<i>Fees.</i>
(a) for a permit under paragraph 3 of the said order—	
(i) in respect of rice husked or rice in the husk not exceeding five maunds in weight.	Rs. 2.
(ii) in respect of rice husked or rice in the husk exceeding five maunds in weight.	Rs.2 for the first five maunds and Rs.2 for every five maunds or part thereof in excess of the first five maunds.
(b) for a licence under paragraph 4 of the said order	Re. 1.

No. 3767F.D.—5th May 1956.—In exercise of the power conferred by paragraph 6 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to authorise the officers specified in column I of the schedule below to exercise the powers under the said paragraph within the areas specified in corresponding entries in column II of the said schedule.

**Schedule**

Column I.	Column II.
<i>Officers.</i>	<i>Rationed areas of—</i>
(1) All Magistrates	Dacca, Narayanganj, Chittagong, Comilla, Chandpur, Brahmanbaria.
(2) All Police Officers of and above the rank of Sub-Inspector of Police.	Mymensingh, Kishoreganj, Netrakona, Jamalpur, Tangail, Munshiganj, Faridpur, Madaripur, Pabna, Serajganj, Rajbari, Kushtia, and Saidpur.
(3) All Officers of the Food and Agriculture (Food) Department of and above the Sub-Inspector of Food.	

*Explanation.*—The rationed areas mentioned above have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

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No. 3768F.D.—5th May 1956.—In exercise of the power conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors visiting the rationed areas of Dacca, Narayanganj, Chittagong, Comilla, Mymensingh, Kishoreganj, Netrakona, Jamalpur, Munshiganj, Brahmanbaria, Faridpur, Madaripur, Serajganj, Pabna, Rajbari, Kushtia, Tangail, Saidpur and Chandpur and bringing into such areas by land, water or air as part of their personal luggages for personal consumption, any quantity of any essential foodstuffs not exceeding one-fourth of the normal quantity of such foodstuffs in Schedule II of the said Order.

*Explanation.*—The rationed areas mentioned above have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

No. 6228F.D.—9th July 1956.—In exercise of the power conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt Messrs. Sree Mahabir Rice and Oil Mills, Saidpur (Rangpur), from the provision of paragraph 3 of the said Order in respect of bringing paddy (rice in the husk) into the rationed area of Saidpur for the purpose of milling and from the provision of paragraph 4 of the said Order in respect of having in their possession the said paddy (rice in the husk) and rice husked, obtained by milling of the said paddy, in the godowns subject to the following conditions:—

- (1) They are exempted only with regard to import of paddy.
- (2) Paddy imported will be only for the purpose of milling.
- (3) They will not import paddy otherwise than on Government account without the permission of the Town Rationing Officer, Saidpur.
- (4) They shall maintain regular and accurate accounts for receipts and issues and stocks in hands of the aforesaid commodities which shall be open to inspection by officers not below the rank of a Sub-Inspector of Food of the Food and Agriculture (Food) Department.
- (5) They shall submit returns and statement as called for by the Town Rationing Officer, Saidpur, from time to time.
- (6) They shall not sell or distribute any portion of the said commodities out of the stock held by them to any private party within any area in which the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, is in force.

#### NOTIFICATIONS

No. 8162F.D.—14th September 1956.—In exercise of the power conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt (1) Messrs. Hajeer Ahmed Ali Rice Mill, (2) Messrs. Dr. Siddique Rice Mill (Lessee Shafi and Sons), (3) Messrs. Nabakumar Hiralal Rice Mill, (4) Messrs. Gobardhan Rice Mill and (5) Messrs. Sree Bindaban Rice Mill of Narayanganj (Dacca), from the provision of paragraph 3 of the said Order in respect of bringing paddy (rice in the husk) into the rationed area of Narayanganj for the purpose of milling and from the provision of paragraph

4 of the said Order in respect having in their possession the said paddy (rice in the husk) and rice husked, obtained by milling of the said paddy, in their godowns subject to the following conditions:—

- (1) They are exempted only with regard to import of paddy.
- (2) Paddy imported will be only for the purpose of milling.
- (3) They will not import paddy without the permission of the Subdivisional Controller of Food, Narayanganj.
- (4) They shall maintain regular and accurate accounts for receipts, issues and stocks in hands of the aforesaid commodities which shall be open to inspection by officers not below the rank of a Sub-Inspector of Food of the Food and Agriculture (Food) Department.
- (5) They shall submit returns and statement as called for by the Subdivisional Controller of Food, Narayanganj, from time to time.
- (6) They shall not sell or distribute any portion of the said commodities out of the stocks held by them to any private party within any area in which the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, is in force.

No. 2729F.D.—21st March 1957.—In exercise of the power conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt Messrs. Annapurna Rice Mill and Messrs. Sree Sankar Rice Mill of Saidpur (Rangpur), from the provision of paragraph 3 of the said Order in respect of bringing paddy (rice in the husk) into the rationed area of Saidpur for the purpose of milling and from the provision of paragraph 4 of the said Order in respect of having in their possession the said paddy (rice in the husk) and rice husked, obtained by milling of the said paddy, in their godowns subject to the following conditions:—

- (1) They are exempted only with regard to import of paddy.
- (2) Paddy imported will be only for the purpose of milling.
- (3) They will not import paddy without the permission of the Town Rationing Officer, Saidpur.
- (4) They shall maintain regular and accurate accounts for receipts and issues and stocks in hands of the aforesaid commodities which shall be open to inspection by officers not below the rank of a Sub-Inspector of Food of the Food Department.
- (5) They shall submit returns of statement as called for by the Town Rationing Officer, Saidpur, from time to time.
- (6) They shall not sell or distribute any portion of the said commodities out of the stock held by them to any private party within any area in which the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, is in force.

By order of the Governor,  
S. H. ALL,  
Dy. Secy. to the Govt. of East Pakistan.

NOTIFICATIONS

No. 6030F.D.—28th June 1957.—In exercise of the power conferred by sub-paragraph (3) of paragraph 10 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, as amended from time to time, the Governor is pleased to specify Re.1 to be the fee leviable in respect of the road permits issued under sub-paragraph (1) of the said paragraph.

The amount shall be paid by crediting the same into the local Treasury under the head "85A—Capital Outlay on Provincial Schemes of State Trading."

No. 6029F.D.—28th June 1957.—In exercise of the power conferred by sub-paragraph (2) of paragraph 10 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, as amended from time to time, the Governor is pleased to direct that the road permit issued under sub-paragraph (1) of the said paragraph shall be in Form specified below:

FORM

Road Permit under paragraph 10(2) of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, for the movement of any essential foodstuffs from one non-statutory rationed area to another non-statutory rationed area through a rationed area.

Subject to the provisions of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956 and the conditions of this permit.....is hereby permitted to move the undermentioned quantities of essential foodstuffs from.....to.....through the rationed area of.....

Description of commodities.	Mds.	Srs.	Ch.
1. Rice .. .. .			
2. Paddy .. .. .			
3. Wheat .. .. .			
4. Atta .. .. .			
5. Flour .. .. .			
6. Suji .. .. .			
7. Sugar .. .. .			

1. This permit shall be valid up to.....
2. The permit holder shall intimate to the officer issuing the permit the date of arrival of the above commodities in the rationed areas, the place of storage and the date of despatch to places outside the rationed areas.
3. The permit holder shall not sell, transfer, use or otherwise dispose of the above mentioned commodities within the rationed area.

*Explanation.*—The word "rationed area" shall have the same sense and meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

*Signature of the officer issuing the road permit*.....  
*Date*.....

No. 7097F.D.—2nd August 1957.—In exercise of the powers conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt the retailers appointed by the local Rationing Officers within their respective jurisdiction to deal with fine varieties of rice from the provision of paragraph 3 of the said Order in respect of bringing fine varieties of rice into the rationed areas and from provision of paragraph 4 of the said Order in respect of having in their possession the said fine varieties of rice subject to the following conditions:—

(1) They are exempted only with regard to import of fine varieties of rice as specified in schedule I to the notification No. 7096 F.D., dated the 2nd August 1957, into the rationed areas in which they are appointed to be retailers.

(2) They shall import the said varieties of rice only on the strength of a permit granted by the local Rationing Officers and shall hold the same for the purpose of distribution to the residents of the rationed areas only for household consumption or establishment consumption, as the case may be, in such quantities as may be specified by the Rationing Officers from time to time.

(3) They shall maintain regular and accurate accounts for receipts, issues and stocks in hands of the fine rice which shall be open to inspection by officers not below the rank of a Sub-Inspector of Food of the Food Department.

(4) They shall submit regular weekly returns as specified by the Rationing Officer showing the quantities of fine rice imported from outside and distributed within the rationed area.

(5) They shall obey all directions that may be given from time to time by the Director of Procurement and Distribution or by the local Rationing Officers regarding the manner in which they shall import, hold or distribute and the rate or rates at which they shall supply fine varieties of rice to the consumers.

No. 7430F.D.—15th August 1957.—In exercise of the power conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, the Governor is pleased to exempt the wholesalers mentioned in column 1 of Schedule II below from the provision of paragraph 3 of the said Order in respect of bringing the commodities, mentioned in Schedule I below, into the rationed area of Chittagong and from the provision of paragraph 4 of the said Order in respect of having in their possession the said commodities at the godowns mentioned in the corresponding entries in column 2 of Schedule II below for distribution outside the rationed area of Chittagong, subject to the following conditions:—

(1) The said wholesalers shall maintain regular and accurate account for receipts, issues and stocks in hand, of the aforesaid commodities, which shall be open to inspection by the officers not below the rank of a Sub-Inspector of Food of the Food Department.

(2) The said wholesalers shall not sell or distribute any portion of the said commodities out of the stocks held by them within any area in which the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, is in force.

(3) The said wholesalers shall submit a weekly return to the District Controller of Food, Chittagong, showing the total quantities of the said commodities daily issued from their godowns and move outside the rationed area of Chittagong.

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(4) The said wholesalers shall not purchase or sell rice or paddy in quantities less than 20 maunds in any single transaction.

*Explanation.*—In this notification the rationed area of Chittagong shall have the same meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

Schedule I.

- (1) Rice husked.
- (2) Rice in the husk (paddy).

Schedule II.

Column 1.	Column 2.
1. Messrs. Nagendra Chandra Mohajan and Dhirendra Chandra Mohajan,	New Chaktai.
2. Messrs. M. Abdul Khaleque Chowdhury .. .. .	Ditto.
3. Messrs. Md. Arafor Rahman & Sons .. .. .	Ditto.
4. Messrs. Md. Habib Ullah .. .. .	Ditto.
5. Messrs. Madina Rice & Oil Mills. .. .. .	Ditto.
6. Messrs. Md. Badsha Meah Chowdury & Sons .. .. .	Ditto.
7. Messrs. M. N. Lal Meah & Brothers .. .. .	Ditto.
8. Messrs. A. J. Chowdhury & Sons .. .. .	Ditto.
9. Messrs. M. Abdul Mannan .. .. .	Ditto.
10. Messrs. M. Abdul Wadud Chowdhury .. .. .	Ditto.
11. Messrs. B. C. Sarkar & Sons .. .. .	Ditto.
12. Messrs. Sashi Kumar Chowdhury & Sons .. .. .	Chaktai.
13. Messrs. Sreedurga Stores .. .. .	New Chaktai.
14. Messrs. Ahmed & Sons .. .. .	Ditto.
15. Messrs. S. Azizur Rahman Master & Sons .. .. .	Chaktai.
16. Messrs. Hari Lal Mazumder .. .. .	New Chaktai.
17. Messrs. Haji Osi Meah & Bros. .. .. .	Chaktai.
18. Messrs. Azad Rice & Oil Mills .. .. .	Strand Road.
19. Messrs. Chittagong Rice & Oil Mills .. .. .	Ditto.
20. Messrs. Habib Sons .. .. .	Ditto.
21. Messrs. Nawayuvak Rice Mills .. .. .	Ditto.

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Column 1.	Column 2.
22. Messrs. Begum Rice Mills .. .. .	Ditto.
23. Messrs. Bengal Assam Rice & Oil Mills .. .. .	Ditto.
24. Messrs. P. K. Sen. & Sons .. .. .	Sadarghat.
25. Messrs. Almadur Rahman & Sons .. .. .	Dewanhat.
26. Messrs. Umesh Chandra Mohajan & Sons .. .. .	Chaktai.
27. Messrs. S. Islam Chowdhury .. .. .	New Chaktai.
28. Messrs. Ram Ram Bhandar .. .. .	Chaktai.
29. Messrs. U. H. Arabi .. .. .	New Chaktai.
30. Messrs. Haji Osior Rahman and Aminul Islam .. .. .	Chaktai.
31. Messrs. Haji Fazalath Khan Chowdhury & Sons .. .. .	Ditto.
32. Messrs. Ashraf Ali & Sons .. .. .	Ditto.
33. Messrs. Dewalar Hossain Sowdagar .. .. .	Osmania Lane.
34. Messrs. M. Ahmed & Raja Meah Sowdagar .. .. .	Dewanhat.
35. Messrs. Upendra Lal Chowdhury .. .. .	Chaktai.
36. Messrs. Mohandra Lal Ghosh .. .. .	Ditto.
37. Messrs. Patindra Lal Ghosh .. .. .	Ditto.
38. Messrs. Ali Ahmed .. .. .	Ditto.
39. Messrs. Prasanna Kumar, Nanda Kumar, Chandra Kumar and Suraj Kumar Biswas.	Chaktai.
40. Messrs. Bejoy Lakshmi Vandar .. .. .	New Chaktai.
41. Messrs. Laxmi Vandar .. .. .	Khatoonganj.
42. Messrs. Mokhelesur Rahman .. .. .	Chaktai.
43. Messrs. Sarada Mills .. .. .	Abhoymitraghat Road, Feringhee Bazar.
44. Messrs. Pakistan Rice Mills .. .. .	Pakistan Bazar.
45. Messrs. Haji Aminur Rahman Sawdagar. .. .. .	Chaktai.
46. Messrs. Arag, Ltd. .. .. .	Khatoonganj.

By order of the Governor:

S. H. ALI,

Dy. Secy. to the Govt. of East Pakistan

**The East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956.**

No. 4537F.D.—1st June 1956.—In exercise of the powers under sub-section (1) of section 3 of the East Pakistan (Essential Supplies) Ordinance, 1956 (East Pakistan Ordinance No. VI of 1956), and in supersession of the notification No. 12541 D.C.S., dated the 8th October 1945, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context—

(a) "Provincial Government" means the Government of East Pakistan and includes any officer authorised by it to perform all or any of the functions of the Provincial Government under this order;

(b) "Gur" means articles commonly known as gur, gul, jaggery, shakkar and rab and includes raw sugar as also uncrystallised sugar in any other form comprised of original and convertible molasses and other impurities, inherent or foreign, prepared by boiling sugar-cane juice;

(c) "Sugar" means (i) any form of sugar containing more than ninety per cent. of sucrose, (ii) any sugar of crystalline structure;

(d) "Sugar-cane apparatus" means any machine, appliance or apparatus commonly used for crushing sugar-cane or boiling sugar-cane juice;

(e) "Sugar factory" means a factory in which or in any part of which any manufacturing process connected with the production of sugar or sugar products or both is being carried on or is ordinarily carried on with the aid of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(f) "Sugar product" means any article manufactured from sugar and containing not less than twenty-five per cent. of its weight.

(g) "Zone" means any area declared to be a zone for the purposes of this Order under paragraph 3 of this Order.

3. The Provincial Government may, by notification in the Official Gazette, declare any area to be a zone for the purpose of this Order and may in like manner vary, amend or rescind any notification so issued.

4. The Provincial Government may, from time to time, specify by notification in the Official Gazette a period or periods in each year in respect of each zone during which no gur shall be manufactured therein by any person and no sugar or sugar product shall be manufactured except in a sugar factory by any person within such zone.



5. No person shall move, or cause to be moved, any gur or sugar-cane, and no person other than a person owning or having charge or control of a sugar factory shall move or cause to be moved any sugar or sugar product from any place within a zone to any place outside such zone by rail, road, river, or in any other manner whatsoever:

Provided that the Provincial Government may by an order in writing exempt any person from the operation of this paragraph in respect of such quantities of gur, sugarcane, sugar or sugar product and for such period as may be specified in order.

6. No person shall at any place within a zone acquire or obtain by purchase, hire or otherwise, except for installation or use in a sugar factory any sugar-cane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory, during such period of every year as may be specified in this behalf by notification in the Official Gazette by the Provincial Government and no person other than a person owning or having charge or control of a sugar factory shall bring any such apparatus from any place outside a zone to any place within such zone by rail, road or river or in any other manner whatsoever at any time during the period so specified:

Provided that the Provincial Government may by an order in writing exempt any person from the operation of this paragraph in respect of such apparatus and for such period and subject to such conditions as may be specified in the order.

7. In every sugar factory situated within a zone the crushing of sugar-cane and the production of sugar shall, unless such sugar factory is expressly exempted from the provisions of this paragraph by order in writing of the Provincial Government be commenced on or before such date in each year as may be specified in this behalf by the Provincial Government by notification in the Official Gazette.

8. If the owner or person in charge or control of a sugar factory refuses or omits to purchase sugar-cane from any person growing such sugar-cane within the zone within which such sugar factory is situated, the Provincial Government may, on application made to them in that behalf by such person, and after making such inquiry, if any, as they may deem necessary, by order in writing direct the owner or person in charge or control of such sugar factory to purchase from the applicant or his agent such quantity of sugar-cane at such place and by such date as may be specified in the order and thereupon such owner or person in charge or control of the sugar factory shall comply with such order.

9. Any officer authorised by the Provincial Government in this behalf may, with a view to securing compliance with this Order—

- (a) enter upon and inspect any premises within a zone in which he has reason to believe that gur, sugar or any sugar product is being manufactured or any sugar-cane apparatus is being held in contravention of this Order;
- (b) detain and search any boat, motor vehicle, cart or any other vehicle in which he has reason to believe that gur, sugar-cane, sugar or any sugar-cane apparatus is being moved in contravention of this Order;
- (c) seize any gur, sugar-cane, sugar or sugar product or any sugar-cane apparatus in respect of which he has reason to believe that a contravention of this Order has been committed.

10. If any person contravenes the provision of this Order, then, without prejudice to any other punishment to which he may be liable, any Court trying the contravention shall order that any gur, sugar-cane, sugar or sugar product, or any sugar-cane apparatus, together with packages and covering thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to the Provincial Government unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

#### ORDER.

No. 5165 F.D.—6th June 1957.—In exercise of the powers under sub-section (1) of section 3 of the East Pakistan Control of Essential Commodities Act, 1956 (East Pakistan Act No. I of 1956), the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the East Pakistan Guests Control Order, 1957.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force in such areas and on such dates as the Provincial Government may by notification in the Official Gazette, direct.

2. In this Order unless there is anything repugnant in the subject or context,—

(1) "catering establishment" means a hotel, restaurant, eating house, cafe, tea shop, coffee stall, free feeding centre, club or canteen and includes any other place open to the public, or to any limited class of the public of a like nature where food or refreshment is consumed or procurable;

(2) "eatable" means any human food or assortment or combination of human food which is customarily served as a meal or part of a meal and which contains rice or atta;

(3) "guest" in relation to a host, includes a relative or any other person who does not ordinarily share meals in the same household to which the host belongs as member of such household.

3. (1) No person or persons acting as host shall distribute or cause to be distributed any eatable, to such number of guests as together with person or persons so acting as host exceeds fifty on any one day at or in connection with any party, entertainment or function, whether religious, social or of any other kind.

(2) In any case in which it is intended that eatables will be distributed in a catering establishment to guests at or in connection with any such party, entertainment or function and it is likely that the number of guests at such party, entertainment or function will exceed twenty, the proprietor or the person in charge of such establishment as well as the person acting as host and causing such distribution shall give notice of such distribution specifying therein the nature of such party, entertainment or function, to such officer or officers as may be specified by order in writing by the Director of Procurement and Distribution, East Pakistan, so as to reach such officer or officers at least three days before the date on which such party, entertainment or function, take place.

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4. Notwithstanding anything in sub-clause (1) and (2) of clause 3 of this Order, the Director of Procurement and Distribution, East Pakistan, may grant exemption for State functions and other special occasions of national importance.

5. The East Bengal Guests Control Order, 1950, issued under Order No. 1592 D.C.S., dated the 7th March 1950, is hereby repealed.

#### NOTIFICATIONS

No. 5193 F.D.—6th June 1957.—In exercise of the power conferred by sub-clause (3) of clause 1 of the East Pakistan Guests Control Order, 1957 the Governor is pleased to direct that the said Order shall come into force with immediate effect in the whole of East Pakistan.

No. 7981 F.D.—10th September 1956.—In exercise of the power conferred by sub-section (1) of section 3 of the East Pakistan Control of Essential Commodities Ordinance, 1956 (Ordinance No. X of 1956), the Governor is pleased to make the following Order:—

#### ORDER

No person shall by word, deed, sign, or visible representation, interfere with or to incite any other person to interfere with the legitimate movement of foodstuffs on Government or private account within the Province.

#### NOTIFICATION

No. 10861 F.D.—27th November 1956.—In exercise of the power conferred by section 4 of the East Pakistan Control of Essential Commodities Act, 1956 (East Pakistan Act I of 1956), the Governor is pleased to direct that the power conferred on the Provincial Government by section 3 of the said Act to provide for the movement, keeping or storage of foodstuffs in any public place between the hours of sunset and sunrise shall be exercisable also by the Deputy Commissioners and all District Magistrates of the Province within their respective jurisdictions.

By order of the Governor,  
AMINULLAH,  
*Secy. to the Govt. of East Pakistan.*

19 THE EAST PAKISTAN CONTROL OF ESSENTIAL COMMODITIES  
ACT, 1956 (E.P.ACT I OF 1956) 22nd September, 1956

An Act to provide for powers to control the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption of, and trade and commerce in, certain commodities.

WHEREAS it is expedient to provide for powers to control the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption of, and trade and ~~and~~ commerce in, certain commodities within East Pakistan;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the East Pakistan Control of Essential Commodities Act, 1956.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

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

(i) foodstuffs;

(ii) cotton and woollen textiles;

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- (iii) paper, including paper-board, pulp-board, wall-board, fibre board, straw board, box-board, cellulose wadding, cellulose films and other similar materials which are manufactured wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp, but does not include any of these materials;
- (iv) mechanically propelled vehicles, their spare parts and tyres and tubes for the same;
- (v) coal;
- (vi) iron and steel;
- (vii) mica;
- (viii) ~~by~~ drugs and medicines, including those administered by injection;
- (ix) chemicals including gases;
- (x) electrical and radio goods and appliances, including wires and cables;
- (xi) medical and surgical instruments and appliances;
- (xii) glass any glassware including scientific and laboratory equipment;
- (xiii) artificial silk yarn;
- (xiv) cycles, their spare parts, and tyres and tubes for the same;
- (xv) matches;
- (xvi) timber;

- (xvii) sanitary and water supply fittings;
- (xviii) infant and patient foods and allied articles;
- (xix) cement;
- (xx) cigarettes;
- (xxi) fertilizers;
- (xxii) tallow;
- (xxiii) torch cells;
- (xxiv) such other classes of commodities as may be declared by the Provincial Government by notification in the Official Gazette to be essential commodities for the purposes of this Act;

(b) "foodstuffs" shall include edible oilseeds and oils;

(c) "notified order" means an order notified in the Official Gazette; and

(d) "paper" shall include newsprint.

3. Powers to control production, supply, distribution, etc., of essential commodities.--(1) The Provincial Government, so far as it appears to it to be necessary or expedient for maintaining, or increasing supplies of any essential commodity or for securing its equitable distribution and availability at fair prices, may by notified order provide for regulating, or prohibiting the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption thereof and trade and commerce therein.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), an order made thereunder may provide -

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- (a) for regulating by licences, permits or otherwise the production or manufacture of any essential commodity;
- (b) for controlling the prices at which any essential commodity may be bought or sold;
- (c) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity;
- (d) for prohibiting the withholding from sale of any essential commodity kept for sale;
- (e) for requiring any person holding stock of an essential commodity to sell the whole or a specified part of the stock at such prices and to such persons or class of persons or in such circumstances, as may be specified in the order;
- (f) for regulating or prohibiting any class of commercial or financial transactions relating to foodstuffs or cotton textiles which, in the opinion of the authority making the order are, or if unregulated are likely to be, detrimental to public interest;
- (g) for requiring persons engaged in the production, supply or distribution of, trade or commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in the order;

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(h) for any incidental and supplementary matters, including in particular the entering, and search of premises, vehicles, vessels and aircraft, the seizure by a person authorised to make such search of any articles in respect of which such person has reason to believe that ~~xxxx~~ a contravention of the order has been, is being, or is about to be committed, or any records connected therewith, the grant or issue of licences, permits or other documents and the charging of fees therefor and for collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters.

(3) An order made under sub-section (1) may confer powers and impose duties upon the Provincial Government, or officers and authorities of the Provincial Government.

(4) The Provincial Government, so far as it appears to it to be necessary for maintaining or increasing the production and supply of an essential commodity, may by order authorise any person (hereinafter referred to as an authorised controller) to exercise, with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be specified in the order, such functions of control, as may be provided by the order; and so long as an order made under this sub-section is in force with respect to any undertaking or part thereof -



- (a) the authorised controller shall exercise his functions in accordance with any instruction given to him by the Provincial Government, so however, that he shall not have any power to give any direction inconsistent with the provisions of any Act or other instrument determining the functions of the undertakers except in so far as may be specifically provided by the order; and
- (b) the undertaking or part shall be carried on, in accordance with any directions given by the authorised controller in accordance with the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

4. Delegation of powers.- The Provincial Government may by notified order direct that the power to make orders under section 3 shall, in relation to such matters and subject to such condition, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the Provincial Government or as may be specified in the direction.

5. Effect of orders inconsistent with other enactments.- Any order made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other <sup>than</sup> this Act.

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6. Penalties.- (1) If any person contravenes any order made under section 3, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both, and if the order so provides, any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to the Provincial Government:

Provided that where the contravention is of an order relating to foodstuffs which contains an express provision in this behalf, the Court shall make such direction, unless for reasons to be recorded in writing it is of opinion that the direction should not be made in respect of the whole, or, as the case may be, a part, of the property.

(2) The owner of any vessel, conveyance or animal carrying any property in respect of which an order under section 3 is contravened shall, if the carrying is a part of the transaction involving the contravention and if he knew or had reason to believe that the contravention was being committed, be deemed to have contravened the order, and in addition to the punishment to which he is liable under sub-section (1), the vessel, conveyance or animal shall when the order provides for forfeiture of the property in respect of which the order is contravened be forfeited to the Provincial Government.

(3) If any person to whom a direction is given under sub-section (4) of section 3 fails to comply with the direction

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he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

7. Attempts and abetments.- Any person who attempts to contravene, or abets a contravention of, any order made under section 3 shall be deemed to have contravened that order.

8. Offences by Corporations.- If the person contravening an order made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

9. False statement.- If any person -

(1) when required by an order made under section 3 to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

(ii) makes any such statement as aforesaid in any books, account, record, declaration, return or other document which he is required by any such order to maintain or furnish, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

10. Cognizance of offences.- No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

11. Power to try offences summarily.- Any Magistrate or bench of Magistrate empowered for the time being to try in summary way the offences specified in sub-section (1) of section 260 of the Code of Criminal Procedure, 1898 (V of 1898), may, on application in this behalf being made by the prosecution, try in accordance with the provisions contained in section 262 of the said Code any offence punishable under this Act.

12. Special provision regarding fines.- Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898 (V of 1898), it shall be lawful for any Magistrate of the First Class specially empowered by the Provincial Government in this behalf to pass a sentence of fine exceeding one thousand rupees on any person convicted of contravening an order made under section 3.

13. Presumption as to orders.- (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Act, a Court shall, within the meaning of Evidence Act, 1872 (I of 1872), presume that such order was so made by that authority.

14. Burden of proof in certain cases.- Where any person is prosecuted for contravening any order made under section 3 which prohibits him from doing an act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document, shall be on him.

15. Protection of action taken under Act.- (1) No suit, prosecution or other legal proceeding shall ~~be~~ lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

(2) No suit or other legal proceeding shall lie against the Government or any officer under it for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

16. Repeal and saving.- (1) The East Pakistan Control of Essential Commodities Ordinance, 1956 (E.P.Ord.X of 1956), is hereby repealed.

(2) Notwithstanding such repeal, any order made or deemed to be made under the East Pakistan Essential Commodities Ordinance, 1956 (E.P.Ord.X of 1956), and in force immediately before the commencement of this Act shall, until such time as the Provincial Government or an officer authorised by the Provincial Government issues orders under this Act, continue in force and be deemed to be order made under corresponding provision of this Act; and all

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appointments made, licences or permits granted and direction issued under any such order and in force immediately before such commencement shall likewise continue in force and be deemed to be made, granted or issued in pursuance of this Act as if this Act had come into force on the date of commencement of the said Ordinance.

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20 The East Pakistan Control of Essential Commodities Act,  
1956 (E.P. Act I of 1956)

Bill No. 14 of 1956 [4th August, 1956].

"Statement of Objects and Reasons (Appended with the Bill)"

The Essential Supplies (Continuance of Temporary Powers) Ordinance, 1955 as enacted by the Government of Pakistan expires from the 25th April, 1956. It provided for some controls to be exercised over production, manufacture, supply and distribution of some essential commodities like drugs and medicine, textiles, spare machine parts, iron and steel materials, cement and paper (including newsprint), etc. On the expiry of the said Ordinance, the Provincial Government promulgated an Ordinance namely the East Pakistan (Essential Supplies) Ordinance, 1956 for the aforesaid purpose. On the expiry of the East Pakistan (Essential Supplies) Ordinance, 1956, another Ordinance namely the East Pakistan Control of Essential Commodities Ordinance, 1956 was promulgated with the same purpose.

As under the Constitution of the Islamic Republic of Pakistan, these subjects namely Trade and Commerce within the Province and production, manufacture, supply and distribution of goods have been included in the Provincial List except Price Control which is in the concurrent list and as these commodities are in short supply and their equitable distribution necessary, it is

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considered expedient in public interests to have some control over these commodities for sometime more. With this end in view the power should continue to be vested in the Provincial Government.

The Bill has been framed with these objects in view."



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47 THE FOOD (SPECIAL COURTS) ACT, 1956  
E.P. ACT X of 1956

[B.II.1956]

An Act to provide for setting up of Courts for speedy trial of offences in relation to foodstuffs.

Whereas it is expedient to provide for setting up Courts for speedy trial of offences, in relation to foodstuffs;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the East Pakistan Food (Special Courts) Act, 1956.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

(a) "foodstuffs" and "notified order" shall have the meanings respectively assigned to them in the East Pakistan Control of Essential Commodities Act, 1956;

(b) "Special Magistrate" means Special Magistrate appointed under the Act.

3. Offences under the Ordinance.- Notwithstanding anything contained in the East Pakistan Control of Essential Commodities Act, 1956, or any other law for the time being in force,

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contravention of any notified order in respect of foodstuffs  
have been  
made or deemed to ~~be~~ made under the East Pakistan Control of  
Essential Commodities Act, 1956, shall be tried and punished by  
Special Magistrates appointed under this Act and no other Court  
shall have any jurisdiction to take cognizance of any such offence.

4. Appointment of Special Magistrates.- The Provincial  
Government may appoint as many Special Matistrates as if may deem  
necessary to try and punish offences under this Act.

5. Cognizance of offences by Special Magistrates.- A Special  
Magistrate may take cognizance of any offence punishable under  
this Act, committed within the territorial limits of his jurisdic-  
tion,-

- (a) upon receiving a complaint of facts which constitutes  
such offences;
- (b) upon a report in writing of such facts made by any  
police officer;
- (c) upon information received from any person other than a  
police officer or upon his own knowledge or suspicion  
that such offence has been committed.

6. Penalties.- If any person commits an offence punishable  
under this Act, he shall be punishable with an imprisonment for a  
term which may extend to three years or with fine or with any one  
or both of them and the court of Special Magistrate trying such  
offence may direct that any foodstuffs in respect of which the said

Court is satisfied that a notified order has been contravened shall be forfeited to the Provincial Government.

7. Procedure of trials.- (I) A Special Magistrate may pass any sentence authorised by this Act,

(2) A Special Magistrate trying an offence under this Act shall have power to try such offences summarily and in trying such offences such Magistrate shall follow the procedure laid down in the Code of Criminal Procedure, 1898 (V of 1898), for summary trials:

Provided that such Magistrate shall not be required to record more than a memorandum of the evidence.

8. Inconsistency with other laws.- The provisions of the Code of Criminal Procedure, 1898 (V of 1898), in so far as they are applicable and in so far as they are not inconsistent with the provisions of this Act, shall apply to all matters connected with, arising from or consequent upon a trial by a Special Magistrate appointed under this Act.

9. Repeal and saving.- (I) The East Pakistan Food (Special Courts) Ordinance, 1956 (E.P.Ord.XV of 1956) is hereby repealed.

(2) Notwithstanding such repeal, any order passed or appointment made or notification issued, and in force immediately before the commencement of this Act, shall continue in force and be deemed to be an order passed, appointment made or notification issued under the corresponding provisions of this Act as if this Act had come into force on the 12th August, 1956.

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GOVERNMENT OF EAST PAKISTAN  
HOME (POLITICAL) DEPARTMENT

No. 139/Comrel/S(II)/3P-3/60, dated Dacca, the 26th September 1960.

FROM—A. HUSAIN, ESQ., C.S.P.,  
*Deputy Secretary to the Government of East Pakistan,*

TO—THE CHIEF TRAFFIC MANAGER,  
*Eastern Bengal Railway, Chittagong.*

*Subject: Restriction on booking of goods to Railway Stations in the border.*

SIR,

In supersession of orders contained in this Government letter No. 4998-Comrel, dated the 17th November, 1955, on the subject mentioned above, I am directed to say that it has been decided by Government that the booking of the following commodities to the Railway Stations within five miles of the border-belt mentioned in the enclosed list should not be allowed without specific permission from Government in this Department.

*Names of commodities.*

- (1) Fish (Fresh and dried).
- (2) Rice.
- (3) Paddy.
- (4) Wheat.
- (5) Wheat products.
- (6) Jute.
- (7) Betelnuts.
- (8) Imported medicines.
- (9) Hides and skins.

2. It has, however, been decided by Government that the movement of foodgrains to the deficit border areas may be permitted by the District/Subdivisional Officers of Food.

3. It is requested that the Station Masters of the Railways Station concerned may be instructed accordingly.

Your obedient servant,  
A. HUSAIN,  
*Deputy Secretary.*

## List of Stations within 5 miles from the Pakistan Border-belt.

- |                     |                   |
|---------------------|-------------------|
| 1. Dhoom Ghat.      | 33. Tilagaon.     |
| 2. Muhuriganj.      | 34. Dakshinbhag.  |
| 3. Fajilpur.        | 35. Kathaltali.   |
| 4. Feni.            | 36. Barlekha.     |
| 5. Sairshadi.       | 37. Latu.         |
| 6. Gunabati.        | 38. Balla.        |
| 7. Comilla.         | 39. Assampara.    |
| 8. Fakirhat.        | 40. Amu Road.     |
| 9. Rajapur.         | 41. Benapol.      |
| 10. Nayanpur.       | 42. Uthali.       |
| 11. Saldanadi.      | 43. Darsana Halt. |
| 12. Mandabhag.      | 44. Darsana.      |
| 13. Qusba.          | 45. Hili.         |
| 14. Niamatabad.     | 46. Dangapara.    |
| 15. Gangasagar.     | 47. Chilhati.     |
| 16. Akhaura.        | 48. Harian.       |
| 17. Banduadatulpur. | 49. Rajshahi.     |
| 18. Peerbuksha Hat. | 50. Sitlai.       |
| 19. Fulgazi.        | 51. Godagari.     |
| 20. Chitholia.      | 52. Rohanpur.     |
| 21. Parashuram.     | 53. Biral.        |
| 22. Belonia.        | 54. Ruhea.        |
| 23. Agartala.       | 55. Lalmanirhat.  |
| 24. Singerbeel.     | 56. Hatibandha.   |
| 25. Mukundapur.     | 57. Barakhata.    |
| 26. Harashpur.      | 58. Baura.        |
| 27. Mantala.        | 59. Patgram.      |
| 28. Taliapara.      | 60. Burimari.     |
| 29. Itakhola.       | 61. Mogalhat.     |
| 30. Srimangal.      | 62. Bhurungamari. |
| 31. Shamshernagar.  | 63. Pateswari.    |
| 32. Manu.           | 64. Sonahat.      |

GOVERNMENT OF EAST PAKISTAN  
HOME (C.R.) DEPARTMENT

No. 3D-3/60-202-Comrel/S, dated Dacca, 28th December 1960.

FROM—A. HUSSAIN, Esq., C.S.P.,  
Deputy Secretary,

TO—THE CHIEF TRAFFIC MANAGER, E. B. RAILWAY, CHITTAGONG.

*Subject:* Restriction on booking of goods to Railway Stations in the border.

SIR,

I am directed to say that it has been decided by Government to partially modify orders contained in this Government letter No. 139-Comrel/S(II)/3P/60, dated 26th September 1960, on the subject mentioned above as follows—

1. The railway stations mentioned below should be excluded from the list of Railway Stations enclosed with the abovementioned letter:—

1. Comilla.
2. Feni.
3. Rajshahi.
4. Lalmonirhat.
5. Hatibandha.
6. Bhurungamari.
7. Pateswari.
8. Sonahat.

2. Movement of commodities mentioned in the aforesaid letter to places within five miles of border-belt by any other means should not be permitted without specific permission from Government in the Home Department.

3. Restrictions imposed under the aforesaid letter will not, however, apply to movement of foodstuffs to boarder areas on Government account.

4. Movement of foodstuffs to the border areas on private account may be permitted on production of written permission obtained from District /Subdivisional Controller of Food concerned.

50 The Foodgrains Supply (Prevention of Prejudicial Activity)  
Ordinance, 1979 (Ord. XXVI of 1979)

[25.7.1979]

An Ordinance to provide for special measures for prevention of prejudicial activity relating to the storage, movement, transshipment, supply and distribution of foodgrains.

Whereas it is expedient to provide for special measures for prevention of prejudicial activity relating to the storage, movement, transshipment, supply and distribution of foodgrains;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

Now, Therefore, in exercise of the powers conferred by clause (I) of Article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance:-

1. Short title.- This Ordinance may be called the Foodgrains Supply (Prevention of Prejudicial Activity) Ordinance, 1979.

2. Ordinance to override all other laws.- This Ordinance shall have effect notwithstanding anything contained in the Industrial Relations Ordinance, 1969 (XXIII of 1969), or in any other law for the time being in force.

3. Offences.- (I) A person shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to taka five thousand, or with both, if he

engages in any activity prejudicial to the storage, movement, transshipment, supply and distribution of foodgrains.

(2) A person shall be deemed to have engaged in an activity prejudicial to the storage, movement, transshipment, supply and distribution of foodgrains if he -

- (a) being a person engaged or employed, whether as a worker, employee, contractor or otherwise, in connection with the storage, movement, transshipment, supply and distribution (hereinafter referred to as "person aforesaid") absents himself or otherwise abstains from, his duties, whether or not in concert with others, without leave of absence or any reasonable excuse; or
- (b) invites or in any manner persuades any person aforesaid to be absent or to abstain from, or not to perform, his duties or prevent him from attending to and performing his duties; or
- (c) engages in any activity which causes disaffection among, or interferes with the discipline of, or obstructs the performance of duties by, any person aforesaid; or
- (d) instigates, directly or indirectly, the use of criminal force against any person aforesaid; or
- (e) does any act or thing which impedes delays or restricts, or is calculated to impede, delay or restrict, <sup>the transportation, movement,</sup> supply

or distribution of foodgrains; or

(f) makes, prints, publishes or distributes any document containing, or spreading by any other means whatsoever, any false statement or information relating to storage, movement, transshipment, supply or distribution of foodgrains; or

(g) causes, or does any act or thing calculated to cause, fear or alarm to the public or any section of the public in respect of availability of foodgrains.

4. Restriction on movement of certain persons and detention orders.- (1) Where the Government, or any authority empowered by it in this behalf, is satisfied in respect of any person that with a view to preventing him from engaging in any activity prejudicial to storage, movement, transshipment, supply and distribution of foodgrains, it is necessary so to do, it may make an order directing that such person be detained for a period not exceeding three months.

(2) A detention order under sub-section (1) may be executed in any place in Bangladesh in the manner provided for execution of warrants of arrest under the Code of Criminal Procedure, 1898 (V of 1898).

5. Power to arrest without warrant.- Any police officer not below the rank of Sub-Inspector or any other person empowered by the Government in this behalf, may arrest without warrant any person who has been, or against whom a reasonable suspicion exists of his having been, concerned in an offence punishable under this



MINISTRY OF FOOD  
Food Division  
Notification

No.S.R.O. 320-L/84/MF/S-II/1C-2/84/224 dated 3rd July, 1984. In exercise of the powers conferred by sub-section (1) of section 3 of the Control of Essential Commodities Act, 1956 (E.P Act I of 1956), the Government is pleased to make the following Order, namely :-

THE GUEST CONTROL ORDER, 1984

Such orders were earlier made in 1959, 1965 and 1978 which have since been repeated.

1. Short title and commencement. -

- (1) This Order may be called the Guest Control order, 1984.
- (2) It shall come into force on the first day of July, 1984.

2. Definitions.- In this Order, unless there is anything repugnant in the subject or context,-

(1) "foodstuffs" means any human food or assortment or combination of human food which is customarily served as meal or part of a meal and which contains rice or wheat products;

(2) "Form" means a form annexed to this Order;

(3) "host" includes -

(a) any person ordinarily residing with the host in the same house; and

(b) on the occasion of a marriage, death or any ceremony, any person staying in the same house as host.

(4) "authorized officer" means -

(a) any officer of the Directorate General of Food not below the rank of Inspector of Food;

(b) Any Gazetted Officer of the Police Department or Bureau of Anti Corruption; and

(c) any Gazetted Officer authorised by the Deputy Commissioner or Upazila Nirbahi Officer of competent local jurisdiction.

3. Prohibition on serving of meal. - No person acting as host shall serve, distribute or offer or cause to be served, distributed or offered foodstuffs in connection with any social, religious or marriage function except urs, dharmasava and festivals following the death of a person, such as, <sup>Chhelum</sup> children and shraddha to more than one hundred persons

excluding the host except under a permit issued in accordance with paragraph 4.

4. Issue of permit and levy of fee. -

(1) Any person intending to serve, distribute or offer or cause to be served, distributed or offered foodstuffs to persons in excess of one hundred shall make an application in Form "A" to the Deputy Commissioner or Upazila Nirbahi Officer concerned for a permit in respect thereof :

Provided that the number of persons in excess of one hundred shall not exceed four hundred.

(2) An application under sub-paragraph (1) shall be accompanied by a Treasury Chalan showing payment of a fee at the rate of twenty-five Taka for each of the persons in excess of one hundred.

(3) On receipt of the application under sub-paragraph (1), the Deputy Commissioner or Upazila Nirbahi Officer concerned shall issue a permit in Form "B" authorising the applicant to serve, distribute or offer or cause to be served, distributed or offered foodstuffs to such number of persons in excess of one hundred as applied for.

5. Order not to apply to State function. - The provisions of this Order shall not apply to the State functions and function arranged by foreign missions in Bangladesh.

6. Penal fee.- Any person contravening the provisions of this Order shall be liable to pay a penal fee which shall be ten times the fee payable under sub-paragraph (2) or paragraph 4.

7. Procedure of imposition and realisation of penal fee.-

(1) On receipt of a report from any authorised officer against any person contravening the provisions of this Order, the Deputy Commissioner or Upazila Nirbahi Officer concerned shall issue a notice upon such person to show cause within ten days from the date of issue of the notice why penal fee shall not be imposed upon him for such contravention and, after considering explanation, if any, received from the person concerned within the time specified and making such enquiry as he may consider necessary, shall pass an order imposing the penal fee at the rate specified in paragraph 6.

(2) An order passed under sub-paragraph (1) shall be final.

(3) If the penal fee imposed under sub-paragraph (1) is not paid within ten days of the order passed under that sub-paragraph, the

penal fee shall be realised as an arrear of land revenue.

8. Register of permits.- Every Deputy Commissioner and Upazila Nirbahi Officer shall maintain a Register of permits in Form "C" and shall submit a periodical return to the Government showing the number of persons in respect of which permits have been issued under paragraph 4 and the amount of fee and penal fee realised during the period under report.

9. Inspection, search and seizure.- If any authorised officer has reason to believe that any of the provisions of this Order has been or is being or is about to be contravened, he may -

(a) enter upon and inspect any premises, vehicle or vessel;

(b) ask any person all necessary questions; and

(c) search and, so far as may be necessary for that purpose, detain~~ed~~ any person, vehicle or vessel and may seize any foodstuffs found in possession of such person or in such vehicle or vessel.

10. Report of contravention.- If, after inspection and search under paragraph 9, the authorised officer is satisfied that any person has contravened any provision of this Order, he shall make a report in writing to the Deputy Commissioner or Upazila Nirbahi Officer concerned for taking action under paragraph 7.

11. Repeal.- The Guest Control Order, 1978 is hereby repealed.

47 126 132

FORM "A"

See paragraph 4

Form of application for permit to serve foodstuffs to persons in excess of one hundred.

To

The Deputy Commissioner \_\_\_\_\_

Upazila Nirbahi Officer \_\_\_\_\_

- 1. Name of the Applicant :
- 2. Father's Name :
- 3. Occupation :
- 4. Present Address :
- 5. Place of serving foodstuffs :
- 6. Date & time of serving foodstuffs :
- 7. Purpose or occasion of serving foodstuffs :
- 8. Number of persons to be served with foodstuffs (in excess of one hundred) :
- 9. Amount of fee paid :
- 10. Chalan showing payment of fee (original to be enclosed) :

I hereby undertake not to serve, distribute or offer or cause to be served, distributed or offered foodstuffs to persons in excess of the number of persons applied for.

.....  
Signature of applicant

Date .....

~~48-127~~ 133

FORM "B"

See paragraph 7

Book No \_\_\_\_\_ Serial No \_\_\_\_\_ With  
reference to his application, dated \_\_\_\_\_  
Mr \_\_\_\_\_, son of \_\_\_\_\_  
of \_\_\_\_\_ is  
hereby granted this permit to serve, distribute or offer or cause to be  
served, distributed or offered foodstuffs to \_\_\_\_\_  
persons in excess of one hundred at \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_ at  
(time) (date)  
\_\_\_\_\_ on the  
(place of serving foodstuffs)  
occasion of \_\_\_\_\_  
\_\_\_\_\_

Deputy Commissioner  
Upazila Nirbahi Officer

Place \_\_\_\_\_  
Date \_\_\_\_\_

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FORM "C"

(Form paragraph 8)

Register of Permits.

Sl. No.	Name of the applicant with present address	No of persons permitted	Date, time and place of serving foodstuffs.	Amount of fee paid	No. and date of Treasury Chalan	Date of issue of permit	Remarks
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GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

Eden Buildings, Dacca.

NOTIFICATION

No. 148-FD/Sec. II, dated 1st March, 1967.

In exercise of the powers conferred by sub-section (1) of section 3 of the East Pakistan Control of Essential Commodities Act, 1956 (East Pakistan Act I of 1956), the Governor is pleased to make the following amendments in the East Pakistan Goods Control Order, 1965, namely:—

**Amendments.**

In the aforesaid Order, —

(a) in clause 2, in paragraph (1), after the word "Rice", the words "or rice products or wheat" shall be inserted:

(2) for clause 3, the following shall be substituted, namely:—

"3. No person acting as host shall distribute, serve or offer or cause to be distributed, served or offered foodstuffs in connection with any social or religious function to more than twenty-five persons excluding the host;

Provided that the restriction imposed by this clause may, on an application by a host, be relaxed in the case of a religious function by the Deputy or the Additional Deputy Commissioner; and

(3) for clause 6, the following shall be substituted, namely:—

"6. No prosecution for any offence punishable under this Order shall be instituted except with the previous sanction in writing of the Deputy or the Additional Deputy Commissioner."

2. This Notification shall take effect from the 17th day of March, 1967.

By order of the Governor,

S. H. ALI,

Joint Secretary to the Government  
of East Pakistan.

[Published in the Dacca Gazette, Part I, dated August 6, 1969.]

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. FD-II/410—5th August 1969—In exercise of the power conferred by sub-section (1) of section 3 of the East Pakistan Control of Essential Commodities Act, 1956 (East Pakistan Act I of 1956), the Martial Law Administrator, Zone 'B', performing the functions and exercising the powers of the Governor of East Pakistan, is pleased to make the following amendment in the East Pakistan Guests Control Order, 1965, namely :

Amendment

In the said Order, for clause 3, the following shall be substituted, namely :—

“3. No person acting as host shall distribute, serve or offer or cause to be distributed, served or offered foodstuffs in connection with any social or religious function to more than two hundred persons excluding the host :

Provided that the restriction imposed by this clause may, on an application by a host, be relaxed in the case of a religious function, such as Urs, Fateha and Puja, by the Deputy or the Additional Deputy Commissioner.

*Explanation*—Milad before or after Nikah shall be considered a part of marriage ceremony for the purposes of this Order.”

By order of the Martial Law  
Administrator, Zone 'B',  
MAFIZUR RAHMAN,  
Deputy Secretary

to the Government of East Pakistan.



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[Published in the Bangladesh Gazette, Part I, dated the 11th January 1973:]

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF FOOD AND CIVIL SUPPLIES  
NOTIFICATION

No. 1758 MFDS-II/Secret-11-71 Pt.—18th December 1972—In exercise of the powers conferred by sub-section (1) of section 3 of the Control of Essential Commodities Act, 1956 (E. P. Act 1 of 1956) the Government is pleased to make the following amendment in the Guest Control Order, 1965 namely :—

Amendment

In the said Order for clause 3, the following shall be *substituted* namely :—

- "3. No person acting as host shall distribute, serve or offer or cause to be distributed, served or offered, foodstuffs in connection with any social, religious or marriage function to more than fifty persons excluding the host :

Provided that this restriction shall not apply to functions where no rice is distributed served or offered."

By order of the Government  
A. HAKIM AHMED,  
Joint Secretary.

*(Published in the Bangladesh Gazette, Part I, dated the 22nd August, 1974.*

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF FOOD AND CIVIL SUPPLIES

ORDER

No. 1092-MFCS/X—1st November 1972—In exercise of the powers conferred by sub-section (1) of section 25 of the Public Safety Ordinance, 1958 (E. P. Ord. No. LXXVIII of 1958), the Government is pleased to declare all the Central Storage Depots and the Local Supply Depots of the Ministry of Food and Civil Supplies, where foodgrains and other essential commodities are stored as protected places.

2. No person shall, without the permission of the officer-in-charge of the Central Storage Depot/Local Supply Depot, or any other competent authority, enter, or be on or in, or to pass over, or loiter in the vicinity of, any protected place.

3. If any person contravenes this order, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

4. The provisions of this order shall not, however, apply to the Labour and Transport Contractors appointed by the Government for handling foodgrains in the Central Storage Depots/Local Supply Depots, and the labourers engaged by the said contractors.

By order of the Government

ABDUL HAKIM AHMED

*Joint Secretary to the Government of  
the People's Republic of Bangladesh.*

বাংলাদেশ



গেজেট

স্বাধীনতা সংখ্যা  
কর্তৃত্ব কৃত্ত্ব প্রকাশিত

বুধবার, অক্টোবর ৪, ১৯৭৭

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

খাদ্য মন্ত্রণালয়

প্রজ্ঞাপন

নং ১৭ই আশ্বিন, ১৩২৪/৪ঠা অক্টোবর, ১৯৭৭

নং এস.আর.ও ২৪২-আইন/৭৭/খাম(এস-২)/১সি-১/৮০ অংশ—Essential Commodities Act, 1957 (III of 1957) Section 3তে প্রদত্ত ক্ষমতাবলে সরকার Food Stuff Price Control and Anti-Hoarding Order, 1953তে নিম্নরূপ সংশোধন করিলেন, যথা:—

উপরি-উক্ত Order এর Paragraph 2তে Clause (f), এর পরিবর্তে নিম্নরূপ Clause প্রতিস্থাপিত হইবে, যথা:—

“(f) “wholesaler” means a trader other than a retail trader and includes an importer;”

রাষ্ট্রপতির আদেশক্রমে

মোহাম্মদ শিহাবউদ্দিন

উপ-সচিব (সরবরাহ)

প্রজ্ঞাপন

নং ১৭ই আশ্বিন, ১৩২৪/৪ঠা অক্টোবর, ১৯৭৭

নং এস.আর.ও ২৪০-আইন/৭৭/খাম(এস-২)/১সি-১/৮০ অংশ—Food Stuff Price Control and Anti-Hoarding Order, 1953 Paragraph 7-এ প্রদত্ত ক্ষমতাবলে সরকার অর্থ মন্ত্রণালয়ের ১৯৭৭ সালের ১৭ই জানুয়ারী তারিখের এস.আর.ও ৫-এল/৭৭-খাম(এস-২)/১সি-১/৮০ অংশ নং প্রজ্ঞাপনটি বাতিলক্রমে নিম্নরূপ নির্দেশ প্রদান করিলেন:

(১) সরকার বা সরকার কর্তৃক ক্ষমতাপ্রাপ্ত কর্মকর্তা কর্তৃক ইস্যুকৃত মাইনস্‌স বাতিলক্রে কোন খাদ্যশস্য বাবসারী একলালীন ২০ দিনের বেশী খাদ্যশস্য তাহার অধিকারে বা নিয়ন্ত্রণাধীনে রাখিতে পারিবেন না।

(৫৫১১)

ম.সা: ০০ সনসা

১৩/১০/৭৭  
মোঃ শাহ আলম  
সরকারী উপ-পরিচালক,  
(সরবরাহ বন্ডন ও বিপ. নং)  
রাষ্ট্র মন্ত্রণালয়-২৭, ১১৭

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# বাংলাদেশ গেজেট



অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, ডিসেম্বর ৪, ১৯৮৯

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

খাদ্য মন্ত্রণালয়

প্রজ্ঞাপন

ঢাকা, ১৯শে অক্টোবর, ১৩৯৬/৩রা ডিসেম্বর, ১৯৮৯

নং এস. আর. ও ৪০৫-আইন/৮৯-বিএম (এস-৬)—Footstuffs Price Control and Anti-Hoarding Order, 1953 এর অনুচ্ছেদ ৭ এর উপ-অনুচ্ছেদ ৪-এ শ্রুতত কমরাবলে সরকার অত্র মন্ত্রণালয়ের প্রজ্ঞাপন নং এস. আর. ও ২৪৩-আইন/৮৭/বিএম/(এস-২), ১মি-১/৮৩-অংশ তারিখ ঢাকা, ১৭ই আশ্বিন, ১৩৯৪/৪ঠা অক্টোবর, ১৯৮৭, এতদ্বারা বাতিল (Rescind) করিলেন।

২। এই আদেশ অবিলম্বে কার্যকর হইবে।

রাষ্ট্রপতির আদেশক্রমে  
মোহাম্মদ গিয়াসউদ্দিন  
উপ-সচিব (সরবরাহ)।

স্বয়ং সিদ্ধিকুর রহমান, ডেপুটি কমিশনার, বাংলাদেশ সরকারী মন্ত্রণালয়, ঢাকা কর্তৃক স্বাক্ষরিত।  
স্বাক্ষরকার মতে স্বাক্ষর করিম, ডেপুটি কমিশনার, বাংলাদেশ সরকার ও প্রকাশনী অফিস, ডেহলদীও, ঢাকা  
কর্তৃক প্রকাশিত।

( ৯৮৫৫ )

মূল্য: ৩০ পয়সা