

The Assam Declaration of Stocks and Prices of Essential Commodities Order, 1977

ASSAM

India

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Rule

THE-ASSAM-DECLARATION-OF-STOCKS-AND-PRICES-OF-ESSENTIAL of 1977

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1. Short title, extent and commencement.

- This Order may be called the Assam Declaration of Stocks and Prices of Essential Commodities Order, 1977.(1)It extends to the whole of Assam.(2)It shall come into force at once.

2. Definitions.

- In this Order, unless the context otherwise, requires-(a)"dealer" means any person carrying on the business of selling of any essential commodity and includes a producer, an importer, a wholesaler or a retailer, and also a broker, or commission agent, distributor or any other agent of a producer or wholesaler having authority to sell any essential commodity belonging to his principal;(b)"essential commodity" means any of the commodities mentioned in Schedule I to the Order; or such other essential commodities as may be notified by the Government under this Order from time to time;(c)"Form" means a Form set forth in Schedule II to this Order;(d)"importer" means any person who brings any essential, commodity into the State of Assam from any place outside the State for the purpose of sale in the State;(e)"place of business" means a place where the books of accounts of a dealer's business are kept and where orders or offers involving purchases or sale of any essential commodity are received and includes place or places where the dealer stores any essential commodity;(f)"producer" means a person engaged in the production, manufacture or processing of

any essential commodity and includes a person who uses any essential commodity for production, manufacture or processing of any other commodity not being an essential commodity; but does not include a producer of sugar;(g)"retailer" means a person who sells any essential commodity to a consumer;(h)"wholesaler" means a person who sells any essential commodity in bulk to any other dealer or to retailer;(i)"Government" means the State Government of Assam;(j)"Executive Magistrate" means the District Magistrate (Executive), Additional District Magistrate (Executive) and the Sub-divisional Magistrate (Executive).

3. Display of stock and price lists.

(1)The Government or an officer not below the rank of Extra Assistant Commissioner specially empowered in this behalf by the State Government may require-(a)every dealer to display conspicuously at a place as near to the entrance of his place of business as possible a list in Form 'A' indicating the opening stock of each essential commodity held by him on each day;(b)every dealer to display conspicuously at a place as near to the entrance of his place of business as possible the wholesale or retail price as the case may be of each essential commodity held by him on each day in Form '13'.(c)Every dealer to submit return to the Executive Magistrate or an officer empowered by the Executive Magistrate in this behalf in Form 'C' and shall submit further such report and return as may be required by the Executive Magistrate.(2)No dealer shall withhold from sale any essential commodity held in stock by him or charge from any customer a price not exceeding the price displayed under Clause (b) of sub-paragraph (1) above.

4. Power of entry, search, seizure, etc.

(1)The Executive Magistrate, a Police Officer not below the rank of Sub-Inspector of Police and Officers of the Supply Department not below the rank of Sub-Inspector of Supply or of the Co-operative Department not below the rank of Junior Inspector of Co-operative Society, may with such assistance if any as he thinks fit-(a)require the owner, occupier or any other person in charge of any place, premises, vehicles or vessel in which he has reason to believe that any contravention of the provision of this Order has been, is being or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contraventions;(b)enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order is being or is about to be committed;(c)of any books of accounts and documents which in the opinion of such person, may be useful for, or relevant to, any proceeding under this rule and the person from whose custody such books of accounts or documents are seized shall be entitled to make copies thereof or to take extracts therefrom in the presence of an officer having the custody of such books of accounts or documents;(d)search, seize and remove stock of essential commodities and the animals, vehicles, vessels or other conveyance used in carrying the said essential commodity in contravention of the provisions of this Order and their take or authorise the taking of all measures necessary securing the production of the stocks of essential commodity and the animals, vehicles or other conveyance seized in a Court and for their safe custody pending such production.(2)The provision of Section 100 of the Code of Criminal Procedure, 1973, relating to search and seizure, shall apply to search and seizure under this clause.

5. Sanction for prosecution.

- No prosecution in respect of an alleged contravention of the provision of this Order shall be instituted without the previous written sanction of the Executive Magistrate.

I

[See paragraph 2 (b)]

1. Rice.

2. Wheat and wheat products, namely, maida, suji and atta.

3. Atta or rice and other cereals and pulses.

4. Pulses-whole or split including gram and gram dal.

5. Salt.

6. Sugar.

7. Edible oils-

(i)Mustard oil.(ii)Groundnut oil.(iii)Coconut oil.(iv)Til oil.(v)Rapeseed oil.

8. Mustard seeds.

9. Vanaspati of all make.

10. Milk powder.

11. Tinned milk.

12. Baby food.

13. Horlicks, viva and Astra.

14. Butter.

- 15. Bakers' Bread.**
- 16. Cement.**
- 17. Coal including soft coke and charcoal.**
- 18. Dry cells for torches.**
- 19. Matches.**
- 20. Toilet soaps, viz., (i) Lux (ii) Lifebuoy, (iii) Rexona, (iv) Hamam, and (v) Jai.**
- 21. Washing soap and detergents viz., (i) Surf, (ii) Det, (iii) Magic, (iv) Lux, (v) Sunlight, and (vi) 501.**
- 22. Petrol and high speed Diesel ex-pump and motor oils in sealed tins.**
- 23. Cotton and woollen textiles.**
- 24. Paper, including newsprint, paper board and straw board.**
- 25. Tyres and tubes of all types.**
- 26. Kerosene oil.**
- 27. General lighting service lamps.**
- 28. Hurricane lanterns.**
- 29. Lead writing pencils.**
- 30. Exercise books.**
- 31. Electric cables and wires.**
- 32. Dry cells and Batteries for Transister, Radio.**

33. Yarn made wholly or in part from any of the following materials, namely:

(i)cotton ; (ii) Wool ; (iii) man-made cellulosic spun fibre; (iv) man-made non-cellulosic spun fibre; (v) Silk.

34. Tea.

II

Form A[See Paragraph 3 (a)]Name of Dealer..... (N.B. Please state whether Producer/Importer/Wholesaler/Retailer).....Place of Business....Date.....List of stocks displayed in accordance with paragraph 3 (i) of the Assam Declaration of Stock and Prices of Essential Commodities Order, 1977:

Exact location of godown(s)	Name of article	Quality/make of article	Opening Stock as on date
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Each quality/make of the article should be shown separately. Form B[See Paragraph 3 (b)]Name of Dealer.....Place of Business.....Exact location(s) of Godown(s) if any.....List of stocks and prices displayed in accordance with paragraph 3(b) of the Assam Declaration of Stocks and Prices of Essential Commodities Order, 1977:

Sl. No.	Name of article	Quality/make of article	Price per unit	Remarks
(1)	(2)	(3)	(4)	(5)
123456789				

Each quality/make of the article should be shown separately so as to indicate the separate price for that quality/make. Form C[See Paragraph 3 (c)]Return of stocks of essential commodities under the provisions of the Assam Declaration of Stocks and Prices of Essential Commodities Order, 1977 for the fortnight ending.....

1. Name and address of the dealer.....

2. Name of Commodities.....Quality in stock.

I/We hereby dealer that the informations given above are to the best of my/our knowledge and belief correct and true. Date.....Signature of dealer