

The Punjab Gifts Goods (Unlawful Possession) Act, 1963

PUNJAB

India

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Act 24 of 1963

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The Punjab Gifts Goods (Unlawful Possession) Act, 1963 Punjab Act No. 24 of 1963 Statement of Objects and Reasons. - "UNICEF" (United Nations International Children Emergency Fund) and CARE (Co-operative for American Relief Everywhere) are supplying on gift basis milk powder and other goods to State Government for distribution to school children, maternity and child welfare centres, hospitals etc. The CARE are supplying milk powder to the State Government for distribution in schools. With a view to preventing these gift goods reaching unauthorised persons for being utilised or sold by them it is proposed to make their unauthorised possession an offence. Hence this Bill. (Punjab Government Gazette Extraordinary, dated the 27th February, 1963). Received the assent of the President of India on the 10th May, 1963, and was first published in the Punjab Government Gazette Extraordinary, dated the 31st May, 1963. An Act to provide for the punishment of the offence of unlawful possession of gift goods supplied by certain relief organisations. Be it enacted by the Legislature of the State of Punjab in the Fourteenth Year of the Republic of India as follows :-

1. Short title and extent.

(1) This Act may be called the Punjab Gift Goods (Unlawful Possession) Act, 1963. (2) It extends to the whole of the State of Punjab.

2. Definitions.

- In this Act, unless the context otherwise requires, -(1) "gift goods" means any of the following goods, namely :- (a) cornmeal; (b) milk powder; (c) vegetable oil (soya bean oil or sunflower seed oil); (d) rolled wheat; supplied by way of gift to any State Government or to the Central Government or any other person on behalf of such Government; (2) "relief organization" means any organisation specified in the Schedule appended to this Act.

3. Unlawful possession of gift goods.

- If any person is found, or is proved to have been, in possession of any gift goods reasonably suspected of being stolen or unlawfully obtained and cannot account satisfactorily how he came by the same, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

4. Offences under the Act to be cognizable.

(1)Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Central Act V of 1898), an offence under this Act shall be a cognizable offence within the meaning of that Code.(2)No court below that of a [Judicial Magistrate] [Substituted for the word 'Magistrate' by Punjab Act 25 of 1964.] of the First Class shall try an offence under this Act.

5. Power to amend Schedule.

(1)The State Government may by notification, add any organisation to or omit any organization from the Schedule, and, on the publication of such notification, such organization shall be deemed to be included in or, as the case may be, omitted from, the Schedule.(2)Every notification issued under this section shall be laid as soon as may be after it is issued before [-] [Adaptation of Punjab Laws Order, 1970.] the State Legislature while it is in session, and if, before the expiry of the session in which it is so laid or the session immediately following [the Legislature] [Words 'each House of' omitted vide Adaptation of Punjab Laws Order, 1970.] agrees in making any modification in the notification or [the Legislature] [Words 'Both Houses' substituted vide Adaptation of Punjab Laws Order, 1970.] agrees that the notification should not be issued, the notification shall thereafter have effect only in such modified form or to be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.The Schedule[See section 2(2)]

1. United Nations International Children Emergency Fund (UNICIF).

2. Co-operative of Amarican Relief Everyware (CARE).