

The Orissa Declaration of Stocks and Prices of Essential Commodities Order, 1973

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Act 610 of 1973

- Published on 24 March 1973
- Commenced on 24 March 1973
- [This is the version of this document from 24 March 1973.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Declaration of Stocks and Prices of Essential Commodities Order, 1973 Published vide Notification No. 8442-EG-1C-7/73, dated 24th March, 1973, Published vide Orissa Gazette Extraordinary No. 610 of 1973 Notification No. 8442-EG-IC-7/73, dated 24th March, 1973. - Whereas the State Government are of the opinion that it is necessary and expedient so to do, for the maintenance of supplies and availability of certain commodities at fair prices in the State of Orissa. Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), and in particular by Clauses (d) and (i) of Sub-section (2) thereof read with the Government of India, Ministry of Agriculture (Department of Food) Order No. G.S.R. 316 (E), dated the 20th June, 1972 and Ministry of Commerce S.O. 1844, dated the 18th June, 1966, the State Government do hereby make the following order, namely :

1. Short title, extent and commencement.

(1) This order may be called the Orissa Declaration of Stocks and Prices of Essential Commodities Order, 1973. (2) It extends to the whole of the State of Orissa. (3) It shall come into force at once.

2. Definitions.

- In this order unless the context otherwise requires-(a) "Dealer" means any person carrying on business of selling any essential commodity, and includes a producer, importer, [wholesaler] [Inserted vide Orissa Gazette Extraordinary No. 136/2.2.1978.-S.R.O. No. 87/78/27.1.1978.] or retailer; (b) "Producer" means a person engaged in the production, manufacture or processing of any essential commodity in the State of Orissa but does not include a cultivator or landlord; (c) "Controller" means Director, Joint Director, Deputy Director and Assistant Directors of Food, Civil Supplies Officers, Assistant Civil Supplies Officers in the Supply Department,

Government of Orissa within their respective jurisdictions and includes such other officers of the State Government as may be authorised by the State Government by notification, in the Official Gazette to perform all or any of the functions of the Controller under this Order in respect of such areas as may be specified in the notification;(d)"Collector" means an officer appointed as such to remain in charge of any of the revenue district of the State;(e)"Essential commodity" means any of the commodities specified in the Schedule;(f)["Retailer" means a dealer in any one or all of the essential commodities who is not a wholesaler;] [Substituted vide Orissa Gazette Extraordinary No. 29/ 21.7.1995 Notification No. No, 18541-PL-1-77/95/4.7.1995.](g)["Schedule" means the Schedule to this Order;] [Substituted vide Orissa Gazette Extraordinary No. 29/ 21.7.1995 Notification No. No, 18541-PL-1-77/95/4.7.1995.](h)["Wholesaler" means a dealer in any one or all of the essential commodities who sells such commodities to other dealers.] [Substituted vide Orissa Gazette Extraordinary No. 29/ 21.7.1995 Notification No. No, 18541-PL-1-77/95/4.7.1995.]

3. [Display of list. [Substituted vide Orissa Gazette Extraordinary No. 377/24.3.1982-S.R.O. No. 109/82/9.2.1982.]

(1)Every retailer shall display prominently in the business premises, shops or show rooms, the stock position of each essential commodity in his possession by writing on a board the words "available" or "not available", as the case may be, against each such commodity and retail selling prices thereof each day and indicate on each unit of item of the said commodities, where possible the sale price by having the sale price either printed on the commodities or on the container or packet thereof or by means of rubber stamp or by sticking a label on such commodities.(2)Every dealer except a retailer shall display prominently in the business premises, shops or show rooms a list indicating the opening stock of such commodities in his possession and wholesale prices thereof each day and indicate on each unit of item of the said commodities where possible the sale price by having the sale price either printed on the commodities or on the container or packet thereof by means of rubber stamp or by sticking a label on such commodity.]

4. Prices to be published.

- Indigenous manufacturers of the essential commodities shall publish in local newspapers the wholesale prices as well as retail prices recommended by them and shall inform their sale agencies of such sale prices.

5. Powers of entry, search, seizure, etc.

(1)The Controller, the Collector, any Magistrate or any Police Officer not below the rank of Assistant Sub-Inspector of Police or any other Officer of the Supply Department not below the rank of Inspector or any other officer specially authorised in writing by the State Government in that behalf may, with a view to securing compliance with this order or to satisfying himself that this order has been complied with such assistance, if any, as he thinks fit-(a)inspect or cause to be inspected any book or document or accounts as well as any stock of essential commodities belonging to, or under the control of, any person;(b)require any person to give any information in his possession with

respect to any essential commodities;(c)stop and search forthwith, with such aid or assistance as may be necessary, and person or vehicle or vessel or animal used or suspected of being used for delivery of essential commodities from any premises where he has reason to believe that essential commodities are stored;(d)enter and search, with such aid or assistance as may be necessary, any such premises;(e)seize and remove, with such aid or assistance as may be necessary any stock of essential commodities, along with packages, coverings, or receptacles in which such stock is found and the animals, vehicles or vessels used in carrying such stock, if he has reason to suspect that any provision of this order has been, is being, or is about to be, contravened in respect of such stock or any part thereof or in respect of any other stock of essential commodities which, immediately before the contravention, was stored alongwith such stock, and thereafter take or authorise the taking of all measures necessary for securing the production, as expeditiously as possible, of the stocks of essential commodities, packages, coverings, receptacles, animals, vehicles, vessels so seized in a Court of law and for their safe custody pending such production.(2)The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

Schedule

[See Clause 2 (a)](1)[Pulses, whole or split, including gram and gram dal.] [Substituted vide Supply Department Notification. No. 21022/9.5.1979, see Orissa Gazette Extraordinary No. 1864/25.5.1979.](2)[Mustard seed, Til seed, groundnut, Mustard oil, Til oil, Groundnut oil and Coconut oil.] [Substituted vide Supply Department Notification. No. 6267/28-2-1974, see Orissa Gazette Extraordinary No.347/14.3.1974.](3)Sugar not requisitioned by the Central Government under the Essential Commodities Act, 1955 (Act 10 of 1955).(4)Vanaspati that is hydrogenated vegetable oil used for cooking purposes.(5)[Cole and coke.] [Substituted vide Supply Department Notification. No. 6267/28-2-1974, see Orissa Gazette Extraordinary No.347/14.3.1974.](6)[* * *] [Omitted vide O.G.E. No. 236 dated 2.3.1996.](7)[* * *] [Omitted vide Orissa Gazette Extraordinary No. 170/7.2.1995.](8)[* * *] [Omitted vide Orissa Gazette Extraordinary No. 1751/31.12.1992-Notification. No. 39106/1.12.1992.](9)[Controlled cloth as defined in Textile Commissioner's Notification No. CER/1/68, dated the 2nd May, 1968.] [Substituted vide Supply Department Notification. No. 6267/28-2-1974, see Orissa Gazette Extraordinary No.347/14.3.1974.](10)[Iron and steel materials such as, bars, rods, rounds, flats, squares, plain and corrugated sheet (black and galvanised) used for construction purposes.] [Substituted vide Supply Department Notification. No. 6267/28-2-1974, see Orissa Gazette Extraordinary No.347/14.3.1974.](11)[* * *] [Omitted vide Orissa Gazette Extraordinary No. 758/29.6.1994-Notification. No. 21775/20.6.1994.](12)[Edible common salt.] [Added vide Orissa Gazette Extraordinary No. 347/14.3.1974-Supply Department Notification No. 6267/28.2.1974.](13)[* * *] [Omitted vide O.G.E. No. 236 dated 2.3.1996.](14)[* * *] [Omitted vide Orissa Gazette Extraordinary No. 170/7.2.1995.](15)Wheat products.(16)Petrol and Diesel.(17)L.P.G. Gas (Cooking Gas.)(18)[Potato.] [Added vide Orissa Gazette Extraordinary No. 1386/13.10.1980-S.R.O. No. 970/80/9.10.1980.](19)[Onion.] [Added vide Orissa Gazette Extraordinary No. 1632/2.12.1981-S.R.O. No. 795/81/18.11.1981.](20)[Niger Seeds.(21)Niger Oil.(22)Refined Rape seed oil (R.E.S.O).(23)Refined Bleached Deodorised Palm Oil (R.B.D. Palm Oil)(24)Palmolive.(25)Soyabin Oil.] [Added vide Orissa Gazette Extraordinary No.

1827/18.10.1984-Notification No. 21679/30.7.1984.](26)[Cement.] [Added vide Orissa Gazette
Extraordinary No. 1618/28.12.1990-Notification No. 37284/14.12.1990.]](27 [* * *] [Added vide
Orissa Gazette Extraordinary No. 1161/28.9.1994-Notification No. 36027/27.9.1994.](28)* * *(29)*
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