

Assam Second Guest Control Order, 1966

ASSAM

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Rule ASSAM-SECOND-GUEST-CONTROL-ORDER-1966 of 1966

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1. Short title, extent and commencement.

(1)This Order may be called the Assam Second Guest Control Order, 1966.(2)It extends to whole of Assam.(3)It shall come into force at once.

2. Definitions.

- In this Order, unless the context otherwise requires,-(a)"caterer" means the proprietor or other person in charge of a catering establishment and includes an agent or servant who acts on behalf of such caterer ;(b)"catering establishment" means a hotel, restaurant, eating house, cafe, tea shop, coffee house, free feeding centre, club, canteen, or railway refreshment room and includes any other place of a like nature, open to the public, where food is prepared, supplied or consumed ;(c)"host" means a person who either himself or through any other person undertakes to distribute or provide for consumption food in a party, entertainment or social or other function ;(d)"institutional establishment" means a hospital, sanatorium , convalescent home, nursing home, orphanage, workhouse, infirmary, asylum or school providing food and includes any other establishment of a like nature ;(e)"cereal" means rice, wheat, maize, bajra and products thereof;(f)"prohibited foodstuffs" means all foodstuffs prepared of or containing cereal;(g)"residential establishment" means a boarding house, apartment house, residential hotel, or nurses' home and includes any other establishment of a like nature but does not include a private household.

3. Restriction on preparation, consumption and distribution of prohibited foodstuffs.

(1) No person, or body of persons acting in concert either jointly or severally, other than a caterer at or in connection with one or more parties, entertainments or functions, shall on any one day either himself or themselves, prepare, serve, distribute or provide for consumption, or accept or contribute for service or distribution for consumption, any prohibited foodstuffs to more than twenty five persons (including the host or hosts) at ordinary parties or entertainments or social or other functions or to more than one hundred persons (including the host or hosts) in connection with marriages or funerals. (2) No caterer at the instance or for the benefit of himself or any person in connection with one or more of his own or such person's parties, entertainments or functions, shall, on any one day either himself or through any other caterer, serve, distribute or provide for consumption, or accept for service or distribution for consumption, any prohibited foodstuff to more than twenty five persons (including the host or hosts) at ordinary parties or entertainments or social or other functions or to more than one hundred persons (including the host or hosts) in connection with marriages or funerals. (3) No person shall accept or consume any prohibited foodstuff at or in connection with any party, entertainment, social or other function, marriage or funeral where the number of participants (including the host or hosts) exceeds twenty-five in the case of ordinary parties, entertainments or social or other functions, or where such number exceeds one hundred (including the host or hosts) in the case of marriages or funerals : Provided that nothing in this clause shall apply to- (i) parties, entertainments or social or other functions in the premises serving as the headquarters of diplomatic or consular representatives, or Government Missions of foreign countries ; (ii) the proprietor, manager or other person-in-charge of a residential establishment, institutional establishment or catering establishment serving food to consumers or residents in the course of regular business and not in connection with any party, entertainment or social or other function given at the instance of himself or of any other person ; (iii) the distribution of food containing any prohibited foodstuffs by way of 'bhog' or 'prasad' or as part of a recognised religious ceremony, in any temple, mosque, gurdwara, church or other place of religious worship.

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

(1) For the effective enforcement of the provisions of this Order, all Supply Officers not below the rank of Sub-Inspector or a police officer of or above the rank of Sub-Inspector may, when he has reason to believe that a contravention of this Order has been, is being or is about to be committed, enter and search any premises, interrogate any person and seize any articles including their coverings in containers in respect of which he has reason to believe that the contravention has been, is being or is about to be committed. (2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898) shall, so far as may be, apply to searches and seizures under this clause.