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SELECT COMMITTEE ON
FOOD, CIVIL SUPPLIES AND
PUBLIC DISTRIBUTION
(1998-99)

TWELFTH LOK SABHA

ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1998

MINISTRY OF FOOD AND CONSUMER AFFAIRS
(DEPARTMENT OF CONSUMER AFFAIRS)

FIRST REPORT

26



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LOK SABHA SECRETARIAT
NEW DELHI

8.3657R

July, 1998/Asadha, 1920 (Saka)

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Standing Committee
on Food, Civil Supplies
and Public Distribution

(1990-99)

12th L.S.

No 1-10

(English)

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FIRST REPORT

STANDING COMMITTEE ON FOOD, CIVIL SUPPLIES AND PUBLIC DISTRIBUTION (1998-99)

(TWELFTH LOK SABHA)

THE ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1998

MINISTRY OF FOOD AND CONSUMER AFFAIRS
(DEPARTMENT OF CONSUMER AFFAIRS)
(1998-99)

Presented to Lok Sabha on 4th July, 1998

Laid in Rajya Sabha on 3rd July, 1998



LOK SABHA SECRETARIAT
NEW DELHI

July, 1998/Asadha, 1920 (Saka)

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STANDING COMMITTEE ON FOOD, CIVIL SUPPLIES AND PUBLIC
DISTRIBUTION (1998-99).

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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
REPORT OF THE COMMITTEE	1

ANNEXURES

I.	The Essential Commodities (Amendment) Bill, 1998	3
II.	Minutes of the sittings held on 19th June, 1998 and 26th June, 1998	15

COMPOSITION OF THE STANDING COMMITTEE ON FOOD,
CIVIL SUPPLIES AND PUBLIC DISTRIBUTION
(1998-99)

Shri Raghuvansh Prasad Singh — *Chairman*

MEMBERS

Lok Sabha

2. Shri Kariya Munda
3. Shri Prabhas Chandra Tiwari
4. Shri Ramchandra Veerappa
5. Shri Gangaram Koli
6. Shri Shyam Bihari Mishra
7. Shri Aditya Nath
8. Shri Bhanu Pratap Singh
9. Shri Ramesh Chandra Dwivedi
10. Shri Abhaysinh S. Bhonsle
11. Shri Sadashivrao Dadoba Mandlik
12. Shri Ram Raghunath Chaudhary
13. Shri H.G. Ramulu
14. Shri Madhab Rajbangshi
15. Shri. C.P. Mudala Giriyappa
16. Shri P. Sankaran
17. Shri Rama Chandra Mallick
18. Shri Baju Ban Riyan
19. Smt A.K. Premajam
20. Shri Daroga Prasad Saroj
21. Shri R. Muthiah
22. Shri Akbar Ahmad Dampy
23. Shri Ranen Barman
24. Shri Yashwant Prakash Ambedkar

25. **Shri Bhim Prasad Dahal**
26. **Shri Satnam Singh Kainth**
27. **Vacant**
28. **Vacant**
29. **Vacant**
30. **Vacant**

Rajya Sabha

31. **Smt. Urmilaben Chimanbhai Patel**
32. **Shri Shivajirao Giridhar Patil**
33. **Shri Onward L. Nongtdu**
34. **Shri Mohindar Singh Kalyan**
35. **Shri Manohar Kant Dhyani**
36. **Shri Lajpat Rai**
37. **Dr. Ishwar Chand Gupta**
38. **Shri Khagen Das**
39. **Shri Yerra Narayanaswamy**
40. **Shri Wasim Ahmad**
41. **Shri Kushok Thiksey**
42. **Sardar Balwinder Singh Bhundar**
43. **Shri Mohd. Masud Khan**
44. **Vacant**
45. **Vacant**

SECRETARIAT

- | | | |
|------------------------------|---|-----------------------------|
| 1. Shri G.C. Malhotra | — | <i>Additional Secretary</i> |
| 2. Shri John Joseph | — | <i>Joint Secretary</i> |
| 3. Shri Krishan Lal | — | <i>Deputy Secretary</i> |
| 4. Shri A.S. Chera | — | <i>Under Secretary</i> |

INTRODUCTION

I, the Chairman, Standing Committee on Food, Civil Supplies and Public Distribution (1998-99) having been authorised by the Committee to submit the Report on their behalf, present this First Report on the Essential Commodities (Amendment) Bill, 1998 relating to the Department of Consumer Affairs, Ministry of Food and Consumer Affairs.

2. The Essential Commodities (Amendment) Bill, 1998 was introduced in Lok Sabha on 29th May, 1998. The Hon'ble Speaker referred it to the Committee on 8th June, 1998 for consideration and Report by 3rd July, 1998. The Committee took oral evidence of the representatives of the Department of Consumer Affairs, Ministry of Food and Consumer Affairs on 19th June, 1998.

3. The Report was considered and adopted by the Committee at their sitting held on 26th June, 1998.

NEW DELHI;
June 26, 1998

Asadha 5, 1920 (Saka)

RAGHUVANSH PRASAD SINGH,
Chairman,
Standing Committee on Food, Civil
Supplies and Public Distribution.

REPORT

Introductory

The Essential Commodities (Amendment) Bill, 1998 was introduced in Lok Sabha on the 29th May, 1998 to replace the Essential Commodities (Amendment) Ordinance, 1998 dated the 25th April, 1998. The Bill was referred to the Standing Committee on Food, Civil Supplies and Public Distribution by the Hon'ble Speaker on the 8th June, 1998 for examination with the instructions to report by 3rd July, 1998 under Rule 331 E (1) (b) of the Rules of Procedure and Conduct of Business in Lok Sabha.

2. There are ten clauses in the Essential Commodities (Amendment) Bill, 1998. The Bill seeks to amend the Essential Commodities Act, 1955. The existing provisions in the Essential Commodities Act, 1955 are not adequate and effective in the expeditious disposal of cases pertaining to hoarding, blackmarketing and profiteering in essential commodities, preventing the misuse of power by lower field functionaries, ensuring easy availability of essential commodities to the consumers, tackling genuine hardship of the traders when there is a minor variation in stocks and keeping pace with the path of liberalisation. In order to remove these shortcomings, it is proposed that all offences under the Act shall be tried in a summary manner by the Special Courts, already set up under the provisions of the Essential Commodities (Special Provisions) Act, 1981. These Courts are still functioning and are proposed to be continued. Except for certain minor offences, all offences under the Act shall be non-bailable. The quantum of fines will be more but the maximum period of imprisonment will be reduced from seven years to two years as all offences will be tried summarily. Lower field functionaries will be required to seek prior permission of an officer not below the rank of a Magistrate of the first class or its equivalent before making entry, examination or seizure under the order issued under the Act. Similarly, no officer below the rank of sub-Inspector of Police shall arrest any person accused of committing an offence punishable under this Act. Certain seized essential commodities may be sold by the Collector through fair price shops at the prices fixed by the Central Government or a State Government. It is also proposed that orders made under this Act may provide for certain allowance for difference between physical stock and stock in record of any essential commodity which may occur due to climatic conditions or handling of the essential commodities. It is further proposed to delete the item "component parts and accessories of automobiles" from the Act.

3. The Committee at their sitting held on the 19th June, 1998 took oral evidence of the representatives of the Department of Consumer Affairs, Ministry of Food and Consumer Affairs. The Secretary of the Department made a brief

statement on the Bill. The Members of the Committee asked certain clarificatory questions which were replied by the representatives of the Department. Thereafter, the Committee considered the general principles and clauses of the Bill.

Recommendations of the Committee

1. The Committee recommend that the following amendments may be made to clause 3 of the Essential Commodities (Amendment) Bill, 1998:—

(i) At page 2, Line 10

Insert the word “(Executive),” after ‘below the rank of a Magistrate of the first class’.

(ii) At page 2, after Line 11

Insert the following proviso:

“Provided further that a copy of such order be shown to the owner of the premises or his representative present on the occasion.”

2. The Committee also recommend that the proposed Essential Commodities (Amendment) Bill, 1998 may be passed.

NEW DELHI;
June 26, 1998

Asadha 5, 1920 (Saka)

RAGHUVANSH PRASAD SINGH,
Chairman,
Standing Committee on Food, Civil
Supplies and Public Distribution.

AS INTRODUCED IN THE LOK SABHA ON 29TH MAY 1998

Bill No. 39 of 1998

THE ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1998

A

BILL

further to amend the Essential Commodities Act, 1955.

BE it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Essential Commodities (Amendment) Act, 1998. Short title and commencement.

(2) It shall be deemed to have come into force on the 25th day of April, 1998.

10 of 1955. 2. In Section 2 of the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act),— Amendment of Section 2.

(a) clause (ia) shall be re-numbered as clause (iia), and before clause (iia) as so re-numbered, the following clause shall be inserted, namely:—

2 of 1974. '(ia) "Code" means the Code of Criminal Procedure, 1973;':

(b) in clause (a), sub-clause (iii) shall be omitted;

(c) after clause (e), the following clause shall be inserted, namely:—

"(f) words and expressions used but not defined in this Act and defined in the Code shall have the meanings respectively assigned to them in that Code."

3. In section 3 of the principal Act,—

Amendment of Section 3.

(i) in sub-section (2), to clause (j), the following proviso shall be inserted, namely:—

"Provided that where a person authorised under an order issued under this section to make the entry, search, examination or seizure is

below the rank of a Magistrate of the first class or its equivalent, he shall obtain prior permission of an officer not below the rank of a Magistrate of the first class or its equivalent before making such entry, search, examination or seizure.”;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) An order made under this section may provide for certain allowance for difference between physical stock and stock in record of any essential commodity which may occur due to climatic conditions or handling of the essential commodity”

Amendment
of Section 6A.

4. In section 6A of the Principal Act, for the proviso to sub-section (2), the following proviso shall be substituted, namely:—

“Provided that, in case of any essential commodity the retail sale price whereof has been fixed by the Central Government or a State Government under this Act or under any other law for the time being in force and which is being sold through fair price shops, the Collector may, for its equitable distribution and availability at fair prices, order the same to be sold through fairprice shops at the price so fixed.”

Amendment
of Section 7.

5. In section 7 of the principal Act,—

(a) in sub-section (1), in clause (a),—

(i) for sub-clause (i), the following sub-clause shall be substituted, namely:—

“(i) in the case of an order made with reference to clause (h) on clause (i) of sub-section (2) of that section, with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both:

Provided that, if any person is again convicted of the same offence under this sub-clause, he shall be punishable with imprisonment for the second and for every subsequent offence for a term which shall not be less than three months but which may extend to one year and with fine which may extend to twenty thousand rupees or with both:

Provided further that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than three months;”;

(ii) in sub-clause (ii), for the words “seven years and shall also be liable to fine”, the words “two years and shall also be liable to fine which shall not be less than twenty-five thousand rupees” shall be substituted;

(b) in sub-section (2), for the words, “seven years and shall also be liable to fine”, the words “two years and shall also be liable to fine

which shall not be less than twenty-five thousand rupees” shall be substituted;

(c) in sub-section (2A), for the words “seven years and shall also be liable to fine”, the words “two years and shall also be liable to fine which shall not be less than fifty thousand rupees” shall be substituted.

6. For section 10A of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 10A.

“10A. Notwithstanding anything contained in the Code, every offence punishable under—

(a) this Act shall be cognizable;

(b) this Act, except under sub-clause (h) or sub-clause (a) of sub-section (1) of section 7, shall be non-bailable;

Provision as to cognizance and bail.

(c) sub-clause (h) or sub-clause (i) of clause (a) of sub-section (1) of section 7, if committed more than once, shall be non-bailable for the second and every subsequent offence.”

7. After section 10A of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 10AA.

“10AA. Notwithstanding anything contained in the Code, no officer below the rank of sub-inspector of police shall arrest any person accused of committing an offence punishable under this Act.”

Power to arrest.

8. Section 12 of the principal Act shall be omitted.

Omission of section 12.

9. For section 12A of the principal Act, the following sections shall be substituted, namely:—

Substitution of new section for section 12A.

12A. (1) The State Government may, for the purpose of providing speedy trial of the offences under this Act, by notification in the Official Gazette, constitute as many Special Courts as may be necessary for such area or areas as may be specified in the notification.

Constitution of Special Courts.

(2) A Special Court shall consist of a single judge who shall be appointed by the High Court upon a request made by the State Government.

Explanation.—In this sub-section, the word “appoint” shall have the meaning given to it in the *Explanation* to section 9 of the Code.

(3) A person shall not be qualified for appointment as a Judge of a Special Court unless—

(a) he is qualified for appointment as a Judge of a High Court, or

(b) he has, for a period of not less than one year, been a Sessions Judge or an Additional Sessions Judge.

Offences
triable by
Special
Courts.

12AA. (1) Notwithstanding anything contained in the Code,—

(a) all offences under this Act shall be triable only by the Special Court constituted for the area in which the offence has been committed or where there are more Special Courts than one for such area, by such one of them as may be specified in this behalf by the High Court;

(b) a Special Court may, upon a perusal of police report of the facts constituting an offence under this Act or upon a complaint made by an Officer of the Central Government or a State Government authorised in this behalf by the Government concerned or any person aggrieved or any recognised consumer association, whether such person is a member of that association or not, take cognizance of that offence without the accused being committed to it for trial;

(c) all offences under this Act shall be tried in a summary way and the provisions of sections 262 to 265 (both inclusive) of the Code shall; as far as may be, apply to such trial:

Provided that in the case of any conviction in summary trial under this section, it shall be lawful for the Special Court to pass a sentence of imprisonment for a term not exceeding two years.

(2) When trying an offence under this Act, a Special Court may also try an offence other than an offence under this Act, with which the accused may, under the Code, be charged at the same trial:

Provided that such other offence is, under any other law for the time being in force, triable in a summary way:

Provided further that in the case of any conviction for such other offence in such trial, it shall not be lawful for the Special Court to pass a sentence of imprisonment for a term exceeding the term provided for conviction in a summary trial under such other law.

(3) A Special Court may, with a view to obtaining the evidence of any person suspected to have been directly or indirectly concerned in, or privy to, an offence under this Act, tender a pardon to such person on condition of his making a full and true disclosure of the whole circumstances with his knowledge relating to the offence and to every other person concerned whether as principal or abettor in the Commission thereof and any pardon so tendered shall, for the purposes of section 308 of the Code, be deemed to have been tendered under section 307 thereof.

Appeal and
revision.

12AB. The High Court may exercise, so far as may be applicable, all the powers conferred by Chapters XXIX and XXX of the Code on High Court, as if a Special Court within the local limits of the jurisdiction of

the High Court were a Court of Sessions trying cases within the local limits of the jurisdiction of the High Court.

12AC. Save as otherwise provided in this Act, the provisions of the Code (including the provisions as to bail and bonds) shall apply to the proceedings before a special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Sessions and the person conducting a prosecution before a Special Court, shall be deemed to be a public Prosecutor.

Application
of Code to
proceedings
before a
Special Court.

Ord. 13 of 1998.

10. (1) The Essential Commodities (Amendment) Ordinance, 1998 is hereby repealed.

Repeal and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(3) If any appeal, application, trial, inquiry or investigation is pending immediately before the commencement of this Act, then such appeal, application, trial or inquiry or investigation shall be disposed of, continued, held or made, as the case may be, in accordance with the provisions of the principal Act as it stood immediately before the commencement of this Act, as if, this Act had not come into force.

STATEMENT OF OBJECTS AND REASONS

The existing provisions in the Essential Commodities Act, 1955 are not adequate and effective in—

- (a) expeditious disposal of cases pertaining to hoarding, blackmarketing and profiteering inessential commodities.
- (b) preventing the misuse of power by lower field functionaries;
- (c) ensuring easy availability of essential commodities to the consumers;
- (d) tackling genuine hardship of the traders when there is a minor variation in stocks; and
- (e) keeping pace with the path of liberalisation.

2. In order to remove the above short-comings, it is proposed that all offences under the Act shall be tried in a summary manner by the Special Courts, already set up under the provisions of the Essential Commodities (Special Provisions) Act, 1981. These Courts are still functioning and are proposed to be continued. Except for certain minor offences, all offences shall be non-bailable. The quantum of fines will be more but the maximum period of imprisonment will be reduced from seven years to two years as all offences will be tried summarily.

3. Lower field functionaries will be required to seek prior permission of an officer not below the rank of a Magistrate of the first class or its equivalent before making entry, examination or seizure under the order issued under the Act. Similarly, no officer below the rank of sub-inspector of police shall arrest any person of accused of committing an offence punishable under this Act. These measures will minimise the alleged misuse of power by lower functionaries.

4. Certain seized essential commodities may be sold by the Collector through fair price shops at the prices fixed by the Central Government or a State Government. This will eliminate delays in disposal of such commodities and enable easy availability of essential commodities to the consumers.

5. It is proposed that orders made under this Act may provide for certain allowance for difference between physical stock and stock in record of any essential commodity which may occur due to climatic conditions or handling of the essential commodities. This will eliminate traders being brought to book for minor variations in stocks.

6. In the light of economic changes, automotive components have been delicensed. The automotive components industry is well-developed in the country

and the industry is producing a wide range of components adopting the latest technology. A substantial quantity is also being exported. There are no restrictions on their imports. It is, therefore, proposed to delete the item "component parts and accessories of automobiles" from the Act.

7. In view of the facts mentioned above and that the Parliament was not in session to give effect to the said proposals, the Essential Commodities (Amendment) Ordinance, 1998 was promulgated by the President on the 25th April, 1998.

8. The Bill seeks to replace the aforesaid Ordinance.

NEW DELHI;
The 19th May, 1998

SURJIT SINGH BARNALA.

FINANCIAL MEMORANDUM

Clause 9 of the Bill provides for constitution of Special Courts by the State Governments for trial of all offences under the Act in a summary manner. The Special Courts were established under the provisions of the Essential Commodities (Special Provision) Act, 1981 and are still functioning in view of the Ordinances promulgated subsequently. It is proposed to continue these Special Courts and other Special Courts may also be established. The expenditure on such Courts in the Union territories which do not have their own Consolidated Funds will have to be met by the Central Government.

2. It is indicated that in the Union territories where such Special Courts have been set up, the existing Sessions Courts or Additional Sessions Courts have been designated as Special Courts to try offences under the Essential Commodities Act, 1955. Therefore, there may be no extra expenditure towards the salary of Judges and supporting staff. However, a token outlay of recurring and non-recurring expenditure respectively of Rs. 4 lakhs and Rs. 2 lakhs only for the first year in respect of the Union territories is anticipated.

3. There will be no other recurring or non-recurring expenditure.

EXTRACTS FROM THE ESSENTIAL COMMODITIES ACT, 1955

(10 OF 1955)

* * *

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Essential commodity" means any of the following classes of commodities:—

* * *

(iii) component parts and accessories of automobiles;

* * *

3. (1)

* * *

Powers to control production, supply, distribution, etc., of essential commodities.

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

* * *

(j) for any incidental and supplementary matters, including, in particular, the entry, search or examination of premises, aircraft, vessels, vehicles or other conveyances and animals, and the seizure by a person authorised to make such entry, search or examination,—

(i) 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 and any packages, coverings or receptacles in which such articles are found;

(ii) of any aircraft, vessel, vehicle or other conveyance or animal used in carrying such articles, if such person has reason to believe that such aircraft, vessel, vehicle or other conveyance or animal, is liable to be forfeited under the provisions of this Act;

(iii) 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 Act 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.

* * *

Confiscation
of essential
commodity.

6A. (1)

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*

*

(2) Where the Collector, on receiving a report of seizure or one inspection of any essential commodity under sub-section (1), is of the opinion that the essential commodity is subject to speedy and natural decay or it is otherwise expedient in the public interest so to do, he may,—

(i) order the same to be sold at the controlled price, if any, fixed for such essential commodity under this Act or under any other law for the time being in force; or

(ii) where no such price is fixed, order the same to be sold by public auction:

Provided that in case of foodgrains, the Collector may, for its equitable distribution and availability at fair prices, order the same to be sold through fair price shops at the price fixed by the Central Government or by the State Government, as the case may be, for the retail sale of such foodgrains to the public.

*

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Penalties.

7. (1) If any person contravenes any order made under section 3,—

(a) he shall be punishable,—

(i) in the case of an order made with reference to clause (h) or clause (i) of sub-section (2) of that section, with imprisonment for a term which may extend to one year and shall also be liable to fine, and

(ii) in the case of any other order, with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than three months;

*

*

*

(2) If any person to whom a direction is given under clause (b) of sub-section (4) of section 3 fails to comply with the direction, he shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than three months.

(2A) If any person convicted of an offence under sub-clause (ii) of clause (a) of sub-section (1) or under sub-section (2) is again

convicted of an offence under the same provision, he shall be punishable with imprisonment for the second and for every subsequent offence for a term which shall not be less than six months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than six months.

* * *

2 of 1974 **10A.** Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence punishable under this Act shall be cognizable and non-bailable. Offences to be cognizable and bailable.

* * *

2 of 1974 **12.** Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973, it shall be lawful for any Metropolitan Magistrate, or any Judicial Magistrate of the first class specially empowered by the State Government in this behalf, to pass a sentence of fine exceeding five thousand rupees on any person convicted of contravening any order made under section 3. Special provision regarding fine.

12A. (1) The State Government may, for the purpose of providing speedy trial of the offences under this Act, by notification in the Official Gazette, constitute as many Special Courts as may be necessary for such area or areas as may be specified in the notification. Constitution of Special Courts.

(2) A Special Court shall consist of a single judge who shall be appointed by the High Court upon a request made by the State Government.

Explanation.—In this sub-section, the word “appoint” shall have the meaning given to it in the *Explanation* to section 9 of the Code.

(3) A person shall not be qualified for appointment as a Judge of a Special Court unless—

(a) he is qualified for appointment as a Judge of a High Court, or

(b) he has, for a period of not less than one year, been a Sessions Judge or an Additional Sessions Judge.

LOK SABHA

A

BILL

Further to amend the Essential Commodities Act, 1955

(Shri Surjit Singh Barnala, Minister of Food and Consumer Affairs)

MINUTES OF THE FOURTH SITTING OF THE STANDING COMMITTEE
ON FOOD, CIVIL SUPPLIES AND PUBLIC DISTRIBUTION
HELD ON THURSDAY THE 19TH JUNE, 1998

The Committee sat from 15.00 to 17.35 hours.

PRESENT

Shri Raghuvansh Prasad Singh — *Chairman*

MEMBERS

Lok Sabha

2. Shri Kariya Munda
3. Shri Gangaram Koli
4. Shri Shyam Bihari Mishra
5. Shri Bhanu Pratap Singh
6. Shri Sadashivrao Dadoba Mandlik
7. Shri Ram Raghunath Chaudhary
8. Shri Madhab Rajbanshi
9. Shri C.P. Mudala Giriyappa
10. Shri P. Sankaran
11. Shri Rama Chandra Mallick
12. Shri Baju Ban Riyan
13. Shrimati A.K. Premajam

Rajya Sabha

14. Smt. Urmilaben Chimanbhai Patel
15. Shri Shivajirao Giridhar Patil
16. Shri Mohindar Singh Kalyan
17. Shri Khagen Das

SECRETARIAT

- | | | | |
|----|------------------|---|-------------------------|
| 1. | Shri John Joseph | — | <i>Joint Secretary</i> |
| 2. | Shri Krishan Lal | — | <i>Deputy Secretary</i> |
| 3. | Shri A.S. Chera | — | <i>Under Secretary</i> |

WITNESSES

*Ministry of Food and Consumer Affairs
(Department of Consumer Affairs)*

1. Shri N.N. Mookerjee, Secretary (CA).
2. Shri Rajiv Srivastava, Addl. Secretary.
3. Shri C.S. Rao, Addl. Secretary and F.A.
4. Shri Kamal Kishore, Economic Adviser.
5. Shri P.S. Das, Director General, BIS.
6. Shri T.T. Adhikari, Managing Director, NCCF.
7. Shri S.P. Pathak, Managing Director, Super Bazar.
8. Shri P. Krishnamoorthy, Director (W&M).

- | | | | |
|----|---|---|---|
| 2. | * | * | * |
| 3. | * | * | * |

4. Thereafter, the Committee sought certain clarifications from the Representatives of the Department of Consumer Affairs, Ministry of Food and Consumer Affairs on the Essential Commodities (Amendment) Bill, 1998. The Secretary of the Department made a brief statement on the various features of the Bill.

The witnesses then withdrew.

5. The Committee then considered the Essential Commodities (Amendment) Bill, 1998.

6. A verbatim record of the proceedings has been kept.

The Committee then adjourned.

MINUTES OF THE FIFTH SITTING OF THE STANDING COMMITTEE ON
FOOD, CIVIL SUPPLIES AND PUBLIC DISTRIBUTION
HELD ON FRIDAY, THE 26TH JUNE, 1998

The Committee sat from 15.00 to 17.25 hours.

PRESENT

Shri Raghuvansh Prasad Singh — *Chairman*

MEMBERS

Lok Sabha

2. Shri Shyam Bihari Mishra
3. Shri Bhanu Pratap Singh
4. Shri Ramesh Chandra Dwivedi
5. Shri Madhab Rajbanshi
6. Shri C.P. Mudala Giriappa
7. Shri P. Sankaran
8. Shri Rama Chandra Mallick
9. Shri Baju Ban Riyan
10. Shrimati A.K. Premajam
11. Shri R. Muthiah
12. Shri Akbar Ahmad Dampy
13. Shri Prakash Yashwant Ambedkar
14. Shri Satnam Singh Kainth

Rajya Sabha

15. Smt. Urmilaben Chimanbhai Patel
16. Shri Shivajirao Giridhar Patil
17. Shri Mohindar Singh Kalyan
18. Shri Manohar Kant Dhyani
19. Shri Lajpat Rai
20. Shri Khagen Das
21. Shri Wasim Ahmad

SECRETARIAT

- | | | |
|---------------------|---|-------------------------|
| 1. Shri John Joseph | — | <i>Joint Secretary</i> |
| 2. Shri Krishan Lal | — | <i>Deputy Secretary</i> |
| 3. Shri A.S. Chera | — | <i>Under Secretary</i> |

I. Consideration and Adoption of Draft First Report

2. The Committee considered the Draft First Report on the Essential Commodities (Amendment) Bill, 1998 and adopted the Report with the following amendment:—

At page 2, after Line 11

Insert the following proviso:

“Provided further that a copy of such order be shown to the owner of the premises or his representative present on the occasion.”

II. Consideration and adoption of Draft Second Report

3. * * *

4. The Committee authorised the Chairman to finalise the report and present/lay the same in both the Houses of Parliament.

The Committee then adjourned.