

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

UNSTARRED QUESTION NO:1571

ANSWERED ON:09.08.2011

BLACKMARKETING/HOARDING CASES

Das Shri Ram Sundar; Ganpatrao Shri Jadhav Prataprao; Naik Shri Shripad Yesso; Patel Shri Deoraj Singh

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether prices of essential commodities are increasing due to rampant black- marketing and hoarding in the country;
- (b) if so, the details thereof and the response of the Government thereto;
- (c) whether there is any suggestion received to make offences registered under the Essential Commodities Act nonbailable;
- (d) if so, the details thereof and the reaction of the Government thereto;
- (e) the number of persons including public servants in various States against whom cases were registered under the said Act during each of the last three years, State-wise; and
- (f) the number of such cases pending as on date?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS)

(a) : Prices of essential commodities including foodgrains are influenced by various factors like poor rainfall, rise in cost of inputs, high international prices and rising demand. Measures to check rise in prices and maintain adequate availability of essential commodities at affordable prices for consumers is an ongoing process. The Government in conjunction with the State Governments adopt appropriate measures to mitigate the impact of the price rise especially on vulnerable sections.

(b) & (c): Adequate powers have been vested with State Governments for taking action under the existing provisions of Essential Commodities Act, 1955 and Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980. Suggestions from various segments have been received from time to time to make Essential Commodities Act more stringent. The Working Group on Consumer Affairs under the Chairmanship of Chief Minister, Gujarat (with CMs of Andhra Pradesh, Tamil Nadu and Maharashtra as its Members) has suggested in the Report submitted to Prime Minister on 02.03.2011, inter-alia, that the offences registered under the Essential Commodities Act should be made non-bailable to act as stronger deterrent.

(d) to (f): The enforcement of the Essential Commodities Act, 1955 lies with the State Governments/ Union Territories. The State Governments/UT Administrations have been delegated powers to take necessary action under the provisions of both "The Essential Commodities Act, 1955" and "The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980", to prevent hoarding and blackmarketing of essential commodities. The State Governments/UT Administrations have been repeatedly requested to strictly enforce both the Acts and also monitor enforcement of these Acts.

The details of the raids conducted, value of goods confiscated and persons booked for violation of rules under the Essential Commodities Act, 1955, during the year 2008, 2009 and 2010 as reported by State Governments/UT Administrations are at Annexure I to III.

The State Governments/UT Administrations are empowered to detain such persons under the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980, whose activities are found to be prejudicial to the maintenance of supplies of commodities essential to the community. Details of detention orders issued under the said Act and as reported to the Central Government by the State Governments/UT Administrations during the year 2008, 2009 and 2010 are given below:-

Name of the State 2008 2009 2010

Gujarat	16	31	79
Tamil Nadu	141	112	120
Orissa	01	02	02
Maharashtra	-	02	02
Andhra Pradesh	04	-	01

Chhattisgarh - - 01

Total 162 147 205