

CHAPTER XVI
FOOD AND CIVIL SUPPLIES

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Clause of	Broad subject matter of clause— Section	Conditions governing power to issue an order in regard to	
		Foodstuffs and fertilisers	Essential commodities <i>other than</i> foodstuffs
(1)	(2)	(3)	(4)
1. (a)	Regulating by licence, permit or otherwise, production or manufacture.	Subject to directions, if any, and to the prior concurrence of the Central Government.	No power delegated.
2. (b)	Bringing under cultivation waste or arable land for growing of foodcrops and for otherwise maintaining or increasing cultivation of foodcrops.	Full powers, subject to directions, if any, of the Central Government.	Clause (b) not applicable.
3. (c)	Controlling the price of purchase or sale.	Subject to directions, if any, and to the prior concurrence, of the Central Government.	(i) No power if the price is controlled by or under any other law. (ii) Where the price is not so controlled, power may be exercised. (A) On the basis of such wholesale prices or retail prices or both as may have been fixed by manufacturers or producers with the approval of the Central Government, but without being inconsistent with any order of the Central Government under the Act, and (B) in a case not covered by (A), with the prior concurrence of the Central Government.
4. (d)	Regulating by licence, permit or otherwise, storage, transport, distribution, disposal,	(i) Subject to directions, if any, and to the prior concurrence, of the Central	(i) No power in regard to inter-State transport or distribution.

	<p>Government where power is exercised</p> <p>in regard to</p> <p>(A) distribution or disposal of food-stuffs to places outside the State;</p> <p>or</p> <p>(B) regulation of transport of food stuffs.</p> <p>(ii) Full powers in other cases, subject to directions, if any, of the Central Government.</p>	<p>(ii) In other cases, power to be so exercised that</p> <p>(A) inter-State transport or distribution in pursuance of any order of the Central Government is not prejudicially affected and</p> <p>(B) Order issued is not inconsistent with any order of the Central Government under the Act.</p>
<p>5. (e) Prohibiting the withholding from sale of an essential commodity ordinarily kept for sale.</p>	<p>Full powers, subject to directions, if any, of the Central Government.</p>	<p>Full power, provided Order issued is not inconsistent with any Order of the Central Government under the Act.</p>
<p>6. (f) Requiring that the whole or a specified portion of the quantity held in stock or the quantity produced/received or to be produced/received shall be sold to the Central or to a State Government or to any authority under either Government or to a specified person or class of persons.</p>	<p>Subject to directions, if any, and to prior concurrence of the Central Government.</p>	<p>Subject to the prior concurrence of the Central Government and to the condition that Order issued is not inconsistent with any Order of the Central Government under the Act.</p>

<p>7. (g) Regulating or prohibiting any class or commercial or financial transactions relating to</p> <ul style="list-style-type: none"> — foodstuffs or — cotton textiles 	<p>No power delegated</p>	<p>Full powers, subject to the condition that Order issued is not inconsistent with any Order of the Central Government under the Act.</p>
<p>8. (h) Collecting information or statistics for regulating or prohibiting a matter referred to in clause (a) to (g).</p>	<p>Full powers, subject to directions, if any, of the Central Government.</p>	<p>Full powers, subject to the condition that Order issued is not inconsistent with any Order of the Central Government under the Act.</p>
<p>9. (i) Requiring persons engaged in production, supply or distribution of, or trade and commerce in, an essential commodity, to maintain and produce for inspection books/accounts records and to furnish information.</p>	<p>Full powers, subject to directions, if any, of the Central Government.</p>	<p>Full powers, subject to the condition that Order issued is not inconsistent with any Order of the Central Government under the Act.</p>
<p>10. (ii) Charging of fees, requiring deposit of sum as security, for grant of licence/ permit forfeiting the full or part of security deposit and adjudication of forfeiture of security deposit.</p>	<p>Full powers, subject to directions, if any, of the Central Government.</p>	<p>Full powers, subject to the condition that Order issued is not inconsistent with any Order of the Central Government under the Act.</p>
<p>11. (j) Incidental and supplementary matters including entry, search or examination of premises, aircraft, vessels, vehicles or other conveyances and animals and seizure by authorised person of articles, conveyances, books of accounts etc. consistent with any Order of the Central Government under this Act.</p>	<p>Full powers, provided that only an officer of the State Government is authorised, by an Order under this clause, to carry out entry, search or seizure. The Order will be subject to directions, if any, of the Central Government.</p>	<p>Full powers, provided that only an officer of the State Government shall be authorised, by an Order under this clause, to carry out entry, search or seizure. The Order shall not be incon-</p>

