

The Control of Essential Commodities Act, 1956 (East Pakistan Act)

(ACT NO. I OF 1956)

An Act to provide for powers to control the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption of, and trade and commerce in, certain commodities. ♣

WHEREAS it is expedient to provide for powers to control the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption of, and trade and commerce in, certain commodities within [Bangladesh];

It is hereby enacted as follows:-

Short title, extent and commencement 1. (1) This Act may be called the ¹[* * *] Control of Essential Commodities Act, 1956.

(2) It extends to the whole of ²[Bangladesh].

(3) It shall come into force at once.

Definitions 2. In this Act, unless there is anything repugnant in the subject or context,-

(a) "essential commodity" means any of the following classes of commodities:-

(i) foodstuffs;

(ii) cotton and woollen textiles;

(iii) paper including paper-board, pulp-board, wall-board, fibre board, straw board, box-board, cellulose wadding, cellulose films and other similar materials which are manufactured wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp, but does not include any of these materials;

(iv) mechanically propelled vehicles, their spare parts and tyres and tubes

for the same;

(v) coal;

(vi) iron and steel;

(vii) mica;

(viii) drugs and medicines, including those administered by injection;

(ix) chemicals including gases;

(x) electrical and radio goods and appliances, including wires and cables;

(xi) medical and surgical instruments and appliances;

(xii) glass and glassware including scientific and laboratory equipment;

(xiii) artificial silk yarn;

(xiv) cycles, their spare parts, and tyres and tubes for the same;

(xv) matches;

(xvi) timber;

(xvii) sanitary and water supply fittings;

(xviii) infant and patient foods and allied articles;

(xix) cement;

(xx) cigarettes;

(xxi) fertilisers;

(xxii) tallow;

(xxiii) torch cells;

(xxiv) such other classes of commodities as may be declared by the Government by notification in the official Gazette to be essential commodities for the purposes of this Act;

(b) "foodstuffs" shall include edible oilseeds and oils;

(c) "notified order" means an order notified in the official Gazette; and

(d) "paper" shall include newsprint.

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

3. (1) The Government, so far as it appears to it to be necessary or expedient for maintaining, or increasing supplies of any essential commodity or for securing its equitable distribution and availability at fair prices, may by notified order provide for regulating, or prohibiting the production, treatment, keeping, storage, movement, transport, supply, distribution, disposal, acquisition, use or consumption thereof and trade and commerce therein.

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

(a) for regulating by licences, permits or otherwise the production or manufacture of any essential commodity;

(b) for controlling the prices at which any essential commodity may be bought or sold;

(c) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity;

(d) for prohibiting the withholding from sale of any essential commodity kept for sale;

(e) for requiring any person holding stock of an essential commodity to sell the whole or a specified part of the stock at such prices and to such persons or class of persons or in such circumstances, as may be specified in the order;

(f) for regulating or prohibiting any class of commercial or financial transactions relating to foodstuffs or cotton textiles which, in the opinion of the authority making the order are, or if unregulated are likely to be, detrimental to public interest;

(g) for requiring persons engaged in the production, supply or distribution of, trade or commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their

business and to furnish such information relating thereto, as may be specified in the order;

(h) for any incidental and supplementary matters, including in particular the entering, and search of premises, vehicles, vessels and aircraft, the seizure by a person authorised to make such search 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, or any records connected therewith, the grant or issue of licences, permits or other documents and the charging of fees therefore and for collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters.

(3) An order made under sub-section (1) may confer powers and impose duties upon the Government, or officers and authorities of the Government.

(4) The Government, so far as it appears to it to be necessary for maintaining or increasing the production and supply of an essential commodity, may by order authorise any person (hereinafter referred to as an authorised controller) to exercise, with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be specified in the order, such functions of control, as may be provided by the order; and so long as an order made under this sub-section is in force with respect to any undertaking or part thereof-

(a) the authorised controller shall exercise his functions in accordance with any instruction given to him by the Government, so however, that he shall not have any power to give any direction inconsistent with the provisions of any Act or other instrument determining the functions of the undertakers except in so far as may be specifically provided by the order; and

(b) the undertaking or part shall be carried on, in accordance with any directions given by the authorised controller in accordance with the provisions of the order, and any person having any functions of