

The Essential Commodities Act, 1957

(ACT NO. III OF 1957)

An Act to provide for price control and regulation of trade and commerce ¹[between different areas in Bangladesh in respect of certain commodities].

WHEREAS it is expedient to provide for price control and regulation of trade and commerce [between different areas in Bangladesh] in respect of certain commodities;

It is hereby enacted as follows:-

**Short title,
extent and
commencement**

1. (1) This Act may be called the Essential Commodities Act, 1957.

(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,-

³[* * *]

(a) “essential commodity” means any of the classes of commodities mentioned in the Schedule to this Act, and such other classes of commodities as may be declared by the ⁴[Government] by notification in the official Gazette to be essential commodities for the purposes of this Act;

(b) “notified order” means an order notified in the official Gazette.

**Power to
make
orders, etc.**

3. ⁵[(1) The Government, so far as it appears to it to be necessary or expedient for securing the equitable distribution of an essential commodity between different areas in Bangladesh and availability at fair prices or for promoting export thereof, may, by notified order, provide for regulating the production, movement, transport and sale of the essential commodity in

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different areas in Bangladesh and for the prices to be charged or paid for it at any stage of the transaction therein.]

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

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

⁶[(aa) for procuring any essential commodity for purposes of export;

(aaa) for regulating, restricting or prohibiting the sale, disposal, transport and movement of any essential commodity within ⁷[different areas in Bangladesh], for purposes of such procurement;]

(b) for regulating by licences, permits or otherwise, the transport, movement and distribution ⁸[between different areas in Bangladesh] of an essential commodity;

(c) for prohibiting the withholding of sale ⁹[between different areas in Bangladesh] of an essential commodity ordinarily kept for sale;

(d) for requiring any person holding stock ¹⁰[in an area in Bangladesh an essential commodity to sell in another area thereof] the whole or specific part of the stock at such price to such persons or class of persons under such circumstances as may be specified in the order;

(e) for collecting any information or statistics with a view to regulating or prohibiting any of the aforesaid matters;

(f) for requiring persons engaged in any of the matters mentioned above in respect of 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;

(g) 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

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connected therewith, the grant or issue of licences, permits or other documents, and the charging of fees therefore.

[Omitted.]

4. [Delegation of powers.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

**Delegation
of powers
by
Government**

¹¹[4A. The ¹²[Government] may delegate any of its powers under section 3 to any of its officers, by an order notified in the official Gazette, subject to such conditions as may be specified in the order.]

**Effect of
orders
inconsistent
with other
enactments**

5. Any order made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

Penalties

6. (1) If any person contravenes any order made under section 3, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both, and if the order so provides, any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to the ¹³[Government]:

Provided that where the contravention is of an order relating to foodstuffs which contains an express provision in this behalf, the Court shall make such direction, unless for reasons to be recorded in writing it is of opinion that the direction should not be made in respect of the whole, or, as the case may be, a part, of the property.

(2) The owner of any vessel, conveyance or animal carrying any property in respect of which an order under section 3 is contravened shall, if the carrying is part of the transaction involving the contravention and if he knew or had reason to believe that the contravention was being committed, be deemed to have contravened the order, and in addition to the punishment to which he is liable under sub-section (1) the vessel, conveyance or animal shall, when the order provides for forfeiture of the