



The Essential Commodities Act, 1955

Act 10 of 1955

Keyword(s):

Essential Commodity, Food-crops, Notified Order, Sugar

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ESSENTIAL COMMODITIES ACT, 1955.
(ACT 10 OF 1955)

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LIST OF ABBREVIATIONS USED

Cl.	for Clause.
Ins.	for Inserted.
S.	for Section.
Sch.	for Schedule.
Subs.	for Substituted.

¹For Statement of Objects and Reasons see Punjab Government Gazette (Extraordinary), 1960, page 1008.

THE ESSENTIAL COMMODITIES ACT, 1955¹

(ACT 10 OF 1955).

[1st April, 1955.]

An Act to provide, in the interests of the general public, for the control of the production, supply and distribution of, and trade and commerce in, certain commodities.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Essential Commodities Act, 1955. Short title and extent.

(2) It extends to the whole of India² * * * .

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

(a) “essential commodity” means any of the following classes of commodities:—

(i) cattle fodder, including oilcakes and other concentrates;

(ii) coal, including coke and other derivatives;

(iii) component parts and accessories of automobiles;

(iv) cotton and woollen textiles;

(v) foodstuffs, including edible oilseeds and oils;

(vi) iron, and steel, including manufactured products of iron and steel;

(vii) paper, including newsprint, paperboard and straw board;

(viii) petroleum and petroleum products;

(ix) raw cotton, whether ginned or unginned and cotton seed;

(x) raw jute;

¹Amended in Punjab by Punjab Act 34 of 1959 and in Rajasthan by Rajasthan Act 32 of 1963, Extended to Goa, Daman and Diu with modifications by Regulation 12 of 1962, s. 3 and Sch., and to Dadra and Nagar Haveli by Regulation 6 of 1963, s. 2 and Sch. I.

²The words “except the State of Jammu and Kashmir” omitted by Act 25 of 1968, s. 2 and Sch. (with effect from 15th August, 1968).

(xi) any other class of commodity which the Central Government may, by notified order, declare to be an essential commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III in the Seventh Schedule to the Constitution;

(b) "food-crops" include crops of sugarcane;

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

¹[(cc) "order" includes a direction issued thereunder;]

²[(d) "State Government", in relation to a Union territory, means the administrator thereof;]

¹[(e) "sugar" means—

(i) any form of sugar containing more than ninety per cent of sucrose, including sugar candy;

(ii) khandsari sugar or bura sugar or crushed sugar or any sugar in crystalline or powdered form; or

(iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.]

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

3. (1) If the Central Government is of opinion that it is necessary or expedient so to do for maintaining or increasing supplies of any essential commodity or for securing their equitable distribution and availability at fair prices, ³[or for securing any essential commodity for the defence of India or the efficient conduct of military operations] it may, by order, provide for regulating or prohibiting the production, supply and distribution thereof and trade and commerce therein.

¹Ins. by Act 36 of 1967, s. 2.

²Subs. by the Adaptation of Laws (No. 3) Order, 1956, for the original cl. (d).

³Ins. by Act 36 of 1967, s. 3.

(2) Without prejudice to the generality of the powers conferred by sub-section (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 bringing under cultivation any waste or arable land, whether appurtenant to a building or not, for the growing thereon of food-crops generally or of specified food-crops, and for otherwise maintaining or increasing the cultivation of food-crops generally, or of specified food-crops;
- (c) for controlling the price at which any essential commodity may be bought or sold;
- (d) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of, any essential commodity;
- (e) for prohibiting the withholding from sale of any essential commodity ordinarily kept for sale;
- ¹[(f) for requiring any person holding in stock any essential commodity to sell the whole or a specified part of the stock to the Central Government or a State Government or to an officer or agent of such Government or to such other person or class of persons and in such circumstances as may be specified in the order;]
- (g) 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 the public interest;

¹Subs. by Act 28 of 1957, s. 2, for the original cl. (f) (with retrospective effect).

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

(i) for requiring persons engaged in the production, supply or distribution of, or trade and 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;

¹(ii) for the grant or issue of licences, permits or other documents, the charging of fees therefor, the deposit of such sum, if any, as may be specified in the order as security for the due performance of the conditions of any such licence, permit or other document, forfeiture of the sum so deposited or any part thereof for contravention of any such conditions, and the adjudication of such forfeiture by such authority as may be specified in the order;]

²[(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,

¹Ins. by Act 17 of 1961, s. 2.

²Substituted by Act 66 of 1971, section 2.

vehicle or other conveyance or animal 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 would be useful for, or relevant to, any proceedings under this Act and the return of such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom, as certified by that person in the manner specified in the order, have been taken.]

(3) Where any person sells any essential commodity in compliance with an order made with reference to clause (f) of sub-section (2), there shall be paid to him the price therefor as hereinafter provided:—

- (a) where the price can, consistently with the controlled price, if any, fixed under this section be agreed upon, the agreed price;
- (b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;
- (c) where neither clause (a) nor clause (b) applies, the price calculated at the market rate prevailing in the locality at the date of sale.

¹[(3A) (i) If the Central Government is of opinion that it is necessary so to do for controlling the rise in prices, or preventing the hoarding, of any foodstuff in any locality, it may, by notification in the Official Gazette, direct that notwithstanding anything contained in sub-section (3), the price at which the foodstuff shall be sold in the locality in compliance with an order made with reference to clause (f) of sub-section (2) shall be regulated in accordance with the provisions of this sub-section.

(ii) Any notification issued under this sub-section shall remain in force for such period not exceeding three months as may be specified in the notification.

¹Ins. by Act 13 of 1957, s. 2.

(iii) Where, after the issue of a notification under this sub-section, any person sells foodstuff of the kind specified therein and in the locality so specified, in compliance with an order made with reference to clause (f) of sub-section (2), there shall be paid to the seller as the price therefor—

- (a) where the price can, consistently with the controlled price of the foodstuff, if any, fixed under this section, be agreed upon, the agreed price;
- (b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;
- (c) where neither clause (a) nor clause (b) applies, the price calculated with reference to the average market rate prevailing in the locality during the period of three months immediately preceding the date of the notification.

(iv) For the purposes of sub-clause (c) of clause (iii), the average market rate prevailing in the locality shall be determined by an officer authorised by the Central Government in this behalf, with reference to the prevailing market rates for which published figures are available in respect of that locality or of a neighbouring locality; and the average market rate so determined shall be final and shall not be called in question in any court.]

¹[(3B) Where any person is required by an order made with reference to clause (f) of sub-section (2) to sell any grade or variety of foodgrains, edible oilseeds or edible oils to the Central Government or a State Government or to an officer or agent of such Government and either no notification in respect of such foodgrains, edible oilseeds or edible oils has been issued under sub-section (3A) or any such notification having been issued has ceased to remain in force by efflux of time, then, notwithstanding anything containing in sub-section (3), ²[there shall be paid as the price for the foodgrains, edible oilseeds or

¹Ins. by Act 25 of 1965, s. 2.

²Substituted by Act 66 of 1971, section 2.

edible oils] as may be specified in that order having regard to—

- (i) the controlled price, if any, fixed under this section or by or under any other law for the time being in force for such grade or variety of foodgrains, edible oilseeds or edible oils;¹[or]
- (ii) ²[where no such price is fixed, the price] for such grade or variety of foodgrains, edible oilseeds or edible oils prevailing or likely to prevail during the post-harvests period in the area to which that order applies.

Explanation.—For the purposes of this sub-section, “post-harvest period” in relation to any area means a period of four months beginning from the last day of the fortnight during which harvesting operations normally commence.]

³[(3C) Where any producer is required by an order made with reference to clause (f) of sub-section (2) to sell any kind of sugar (whether to the Central Government or a State Government or to an officer or agent of such Government or to any other person or class of persons) and either no notification in respect of such sugar has been issued under sub-section (3A) or any such notification, having been issued, has ceased to remain in force by efflux of time, then, notwithstanding anything contained in sub-section (3), there shall be paid to that producer an amount therefor which shall be calculated with reference to such price of sugar as the Central Government may, by order, determine, having regard to—

- (a) the minimum price, if any, fixed for sugarcane by the Central Government under this section;
- (b) the manufacturing cost of sugar;
- (c) the duty or tax, if any, paid or payable thereon; and
- (d) the securing of a reasonable return on the capital employed in the business of manufacturing sugar,

¹Substituted by *ibid.*

²Substituted by *ibid.*

³Ins. by Act 36 of 1967, s. 3.

and different prices may be determined from time to time for different areas or for different factories or for different kinds of sugar.

Explanation.—For the purposes of this sub-section, “producer” means a person carrying on the business of manufacturing sugar.]

(4) If the Central Government is of opinion that it is necessary so to do for maintaining or increasing the production and supply of an essential commodity, it may, by order, authorize any person (hereinafter referred to as an authorized 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 therein and so long as such order is in force with respect to any undertaking or part thereof,—

- (a) the authorized controller shall exercise his functions in accordance with any instructions given to him by the Central Government, so, however, that he shall not have any power to give any direction inconsistent with the provisions of any enactment or any instrument determining the functions of the person in charge of the management of the undertaking, 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 authorized controller under the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.
- (5) An order made under this section shall,—
- (a) in the case of an order of a general nature or affecting a class of persons, be notified in the Official Gazette; and
 - (b) in the case of an order directed to a specified individual be served on such individual—
 - (i) by delivering or tendering it to that individual; or

(ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of the premises in which that individual lives, and a written report thereof shall be prepared and witnessed by two persons living in the neighbourhood.

(6) Every order made under this section by the Central Government or by any officer or authority of the Central Government shall be laid before both Houses of Parliament, as soon as may be, after it is made.

4. An order made under section 3 may confer powers and impose duties upon the Central Government or the State Government or officers and authorities of the Central Government or State Government, and may contain directions to any State Government or to officers and authorities thereof as to the exercise of any such powers or the discharge of any such duties. Imposition of duties on State Governments, etc.

5. The Central Government may, by notified order, direct that ¹[the power to make order or issue notifications under section 3] shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by— Delegation of powers.

(a) such officer or authority subordinate to the Central Government; or

(b) such State Government or such officer or authority subordinate to a State Government,

as may be specified in the direction.

6. 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. Effect of orders inconsistent with other enactments.

²[6A. Where any ²[essential commodity is seized] in pursuance of an order made under section 3 in relation Confiscation of essential commodity.

¹Substituted by Act 66 of 1971, section 3.

²Ins. by Act 25 of 1966, s. 3.

thereto ¹[it may] be produced, without any unreasonable delay, before the Collector of the district or the Presidency-town in which such ²[essential commodity is seized] and whether or not a prosecution is instituted for the contravention of such order, the Collector, if satisfied that there has been a contravention of the order, ²[may order confiscation of the essential commodity so seized]:

Provided that without prejudice to any action which may be taken under any other provision of this Act, no foodgrains or edible oilseeds seized in pursuance of an order made under section 3 in relation thereto from a producer shall, if the seized foodgrains or edible oilseeds have been produced by him, be confiscated under this section.

[Issue of show-
cause notice
before confisca-
tion of essential
commodity.]

6B. No order confiscating ³[any essential commodity] shall be made under section 6A unless the owner of such ⁴[essential commodity] or the person from whom ⁵[it is seized]—

- (a) is given a notice in writing informing him of the grounds on which it is proposed to confiscate the ⁴[essential commodity];
- (b) is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds of confiscation; and
- (c) is given a reasonable opportunity of being heard in the matter.

Appeal.

6C. (1) Any person aggrieved by an order of confiscation under section 6A may, within one month from the date of the communication to him of such order, appeal to any judicial authority appointed by the State Government concerned and the judicial authority shall, after giving an opportunity to the appellant to be heard, pass such order as it may think fit, confirming, modifying or annulling the order appealed against.

(2) Where an order under section 6A is modified or annulled by such judicial authority, or where in a prosecution instituted for the contravention of the order in respect of which an order of confiscation has been made under section 6A, the person concerned is acquitted, and in either

¹Subs. by s. 4, *ibid.*, for "they may".

²Subs. by Act 36 of 1967, s. 4, for certain words.

³Subs. by s. 5, *ibid.*, for "any foodgrains, edible oilseeds or edible oils".

⁴Subs. by s. 5, *ibid.*, for "article".

⁵Subs. by s. 5, *ibid.*, for "they are seized".

case it is not possible for any reason to ¹[return the essential commodity seized], such person shall be paid the price therefor ¹[as if the essential commodity], had been sold to the Government with reasonable interest calculated from the day of the seizure of ²[the essential commodity]; ¹[and such price shall be determined—

- (i) in the case of foodgrains, edible oilseeds or edible oils, in accordance with the provisions of sub-section (3B) of section 3;
- (ii) in the case of sugar, in accordance with the provisions of sub-section (3C) of section 3; and
- (iii) in the case of any other essential commodity, in accordance with the provisions of sub-section (3) of section 3].

6D. The award of any confiscation under this Act by the Collector shall not prevent the infliction of any punishment to which the person affected thereby is liable under this Act.].

Award of confiscation not to interfere with other punishments.

7. (1) ³[If any person contravenes, whether knowingly, intentionally or otherwise, any order made under section 3]—

Penalties.

(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 may extend to ⁴[five years] and shall also be liable to fine:

⁵[Provided that in the case of a first offence, if the Court is of opinion that a sentence of fine only will meet the ends of justice, it may, for reasons to be recorded, refrain from imposing a sentence of imprisonment and in the case of a

¹Subs. by Act 36 of 1967, s. 6, for certain words.

²Subs. by s. 6, *ibid.*, for "articles".

³Subs. by s. 7, *ibid.*, for certain words.

⁴Subs. by Act 38 of 1967, s. 7, for "three years".

⁵Subs. by s. 7, *ibid.*, for the former proviso.

second or subsequent offence, the Court shall impose a sentence of imprisonment and such imprisonment shall not be less than one month; and]

¹[(b) any property in respect of which the order has been contravened or such part thereof as to the Court may seem fit including any packages, coverings or receptacles in which the property is found and any animal, vehicle, vessel or other conveyance used in carrying the property, shall be forfeited to the Government:]

Provided that if the Court is of opinion that it is not necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property ²[or any package, coverings or receptacles or any animal, vehicle, vessel or other conveyance], it may, for reasons to be recorded, refrain from doing so.

(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 may extend to ³[five years], or with fine, or with both.

⁴[(3) Where a person having been convicted of an offence under sub-section (1) is again convicted of an offence under that sub-section for contravention of an order in respect of an essential commodity, the Court by which such person is convicted shall, in addition to any penalty which may be imposed on him under that sub-section, by order, direct that that person shall not carry on any business in that essential commodity for such period, not being less than six months, as may be specified by the Court in the order.]

Forfeiture of certain property used in the commission of the offence.

⁵[7A. Whenever any offence relating to foodstuffs which is punishable under section 7 has been committed, the court shall direct that all the packages, coverings or receptacles in which any property liable to be forfeited

¹Subs. by s. 7, *ibid.*, for the former cl. (b).

²Ins. by Act 25 of 1966, s. 4.

³Subs. by Act 36 of 1967, s. 7, "for three years".

⁴Ins. by Act 36 of 1967, s. 7.

⁵Ins. by Punjab Act 34 of 1959, section 2.

under the said section is found and all the animals, vehicles, vessels or other conveyances used in carrying the said property shall be forfeited to the Government.]

8. Any person who attempts to contravene, or abets ^{Attempts and} a contravention of, any order made under section 3 shall ^{abatement.} be deemed to have contravened that order.

9. If any person,—

(i) when required by any order made under section 3 to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true; or

(ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish,

he shall be punishable with imprisonment for a term which may extend to ¹[five years], or with fine, or with both.

10. (1) If the person contravening an order made under section 3 is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary, or other officer shall also be

¹Subs. by Act 36 of 1967, s. 8, for "three years".

deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) “company” means any body corporate, and includes a firm or other association of individuals; and
- (b) “director” in relation to a firm means a partner in the firm.

Offences to be cognizable and bailable.

¹[10A. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence punishable under this Act shall be cognizable and bailable.] ^{5 of 1898.}

Cognizance of offences.

11. No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Indian Penal Code. ^{45 of 1860.}

Special provision regarding fine.

12. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf and for any presidency magistrate to pass a sentence of fine exceeding one thousand rupees on any person convicted of contravening any order made under section 3. ^{5 of 1898.}

Power to try summarily.

²[12A. (1) If the Central Government is of opinion that a situation has arisen where, in the interests of production, supply or distribution of any essential commodity or trade or commerce therein and other relevant considerations, it is necessary that the contravention of any order made under section 3 in relation to such essential commodity should be tried summarily, the Central Government may, by notification in the Official Gazette, specify such order to be a special order for purposes of summary trial under this section, and every such notification shall be laid, as soon as may be after it is issued, before both Houses of Parliament.

¹Ins. by s. 9, *ibid.*

²Ins. by Act 47 of 1964, s. 2 (with effect from 5-11-1964).

¹[Provided that—

- (a) every such notification issued after the commencement of the Essential Commodities (Amendment) Act, 1971, shall, unless sooner rescinded, cease to operate at the expiration of two years after the publication of such notification in the Official Gazette;
- (b) every such notification in force immediately before such commencement shall, unless sooner rescinded, cease to operate at the expiration of two years after such commencement:

Provided further that nothing in the foregoing proviso shall affect any case relating to the contravention of a special order specified in any such notification if proceedings by way of summary trial have commenced before that notification is rescinded or ceases to operate and the provisions of this section shall continue to apply to that case as if that notification had not been rescinded or had not ceased to operate.]

⁵ of
1898. (2) Where any notification issued under sub-section (1) in relation to a special order is in force, then, notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences relating to the contravention of such special order shall be tried in a summary way and by a magistrate of the first class specially empowered in this behalf by the State Government or by a presidency magistrate, and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial:

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

⁵ of
1898. (3) Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1898, there shall

¹Added by Act 66 of 1971, section 5.

be no appeal by a convicted person in any case tried summarily under this section in which the magistrate passes a sentence of imprisonment not exceeding one month, or of fine not exceeding two thousand rupees, or both, whether or not any order of forfeiture of property or an order under section 517 of the said Code is made in addition to such sentence, but an appeal shall lie where any sentence of imprisonment or fine in excess of the aforesaid limits is passed by the magistrate.

(4) Where any notification is issued under sub-section (1) in relation to a special order, all cases relating to the contravention of such special order and pending on the date of the issue of such notification shall, if no witnesses have been examined before the said date, be tried in a summary way under this section, and if any such case is pending before a magistrate who is not competent to try the same in a summary way under this section, it shall be forwarded to a magistrate so competent.]

Presumption
as to orders.

13. Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Act, a Court shall presume that such order was so made by that authority within the meaning of the Indian Evidence Act, 1872.

1 of 1872.

Burden of
proof in cer-
tain cases.

14. Where a person is prosecuted for contravening any order made under section 3 which prohibits him from doing any act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document shall be on him.

Protection of
action taken
under Act.

15. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

16. (1) The following laws are hereby repealed:— **Repeals and savings.**

¹ of
1955.

(a) the Essential Commodities Ordinance, 1955;

(b) any other law in force in any State immediately before the commencement of this Act in so far as such law controls or authorizes the control of the production, supply and distribution of, and trade and commerce in, any essential commodity.

(2) Notwithstanding such repeal, any order made or deemed to be made by any authority whatsoever, under any law repealed hereby and in force immediately before the commencement of this Act, shall, in so far as such order may be made under this Act, be deemed to be made under this Act and continue in force, and accordingly any appointment made, licence or permit granted or direction issued under any such order and in force immediately before such commencement shall continue in force until and unless it is superseded by any appointment made, licence or permit granted or direction issued under this Act.

10 of
1897.

(3) The provisions of sub-section (2) shall be without prejudice to the provisions contained in section 6 of the General Clauses Act, 1897, which shall also apply to the repeal of the Ordinance or other law referred to in sub-section (1) as if such Ordinance or other law had been an enactment.