

ORISSA ACT XII OF 1951

**THE ORISSA ESSENTIAL ARTICLES CONTROL AND
REQUISITIONING (TEMPORARY POWERS)
ACT, 1950**

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AN ACT TO PROVIDE FOR THE CONTINUANCE DURING A LIMITED
PERIOD OF POWERS TO CONTROL THE PRODUCTION, PROCESS-
ING, SUPPLY, DISTRIBUTION, TRANSPORT AND PRICES
OF ESSENTIAL ARTICLES AND TRADE
AND COMMERCE THEREIN AND
REQUISITIONING OF
PROPERTY

WHEREAS it is expedient to provide for the continuance during a limited period, of powers to control the production, processing, supply, distribution, transport and prices of essential articles and of trade and commerce therein and for requisitioning of property ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Orissa Essential Articles Control and Requisitioning (Temporary Powers) Act, 1950.

(2) It extends to the whole of the State of Orissa.

(3) It shall be deemed to have come into force on the 12th day of March, 1949.

¹⁹⁵⁵(4) It shall cease to have effect on the ^{26th} day of January, 1953 except as respects things done or omitted to be done before the expiration thereof and section 5 of the Orissa General Clauses Act, 1937, shall apply upon the expiry of this Act as if it had then been repealed by an Orissa Act.

Subs. by O.A.
23 of 1952
Orissa Act
I of 1937.

Definitions

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

(a) " essential article " means any of the articles which is specified in the Schedule to this Act and any other article which may be declared by the State Government by notified order to be an essential article ;

(b) " notified order " means an order notified in the Gazette ;

(c) " undertaking " means any undertaking by way of any trade or business and includes the occupation of handling, loading or unloading goods in the course of transport.

Powers to control production, processing, supply, distribution, transport and prices of essential articles.

3. (1) The State Government, so far as it appears to them to be necessary or expedient for maintaining, increasing or securing supplies of essential articles or for arranging for their equitable distribution and availability at fair prices or for directing, maintaining or increasing the production of any essential article, may, by notified order, provide for regulating or prohibiting the production, supply, distribution and transport of essential articles and trade and commerce therein.

(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 articles ;

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

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

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

(e) for requiring any person holding stocks of an essential article to sell them at fair prices to specified persons or class of persons or in specified circumstances ;

(f) for regulating or prohibiting any class of commercial or financial transactions relating to any essential article, which in the opinion of the State Government are, or if unregulated, are likely to be detrimental to the public interest ;

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

(h) for requiring persons engaged in the production, supply or distribution of, or trade or commerce in, any essential article to declare their stocks of essential articles, to maintain and allow inspection of or produce for inspection any books, accounts and records relating to their business and to furnish any other information relating thereto ;

(i) for regulating the processing of any essential article ;

(j) for exercising over the whole or any part of an existing undertaking, such functions of control and subject to such conditions, as may be specified in the order ;

(k) 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 article 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, the grant or issue of licences, permits or other documents, and the charging of fees therefor.

Power of
requisition-
ing and
acquisition.

4. (1) If in the opinion of the State Government, it is necessary or expedient so to do for maintaining, increasing or securing supplies of any essential article or for arranging for its equitable distribution and availability at fair prices or for directing, maintaining or increasing the production of any essential article, the State Government may, by order in writing, requisition any property, movable or immovable, and may make such further orders as appear to them to be necessary or expedient in connection with such requisitioning :

Provided that no property used for the purpose of religious worship shall be requisitioned under this section :

