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THE ESSENTIAL COMMODITIES (AMENDMENT) ACT 2006

(AS PASSED BY THE HOUSES OF PARLIMENT)

AN

ACT

further to amend the Essential Commodities Act, 1955

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title and commencement : (1) This Act may be called the Essential Commodities (Amendment) Act, 2006

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 2 : In the Essential Commodities Act, 1955 (10 of 1955) (hereinafter referred to as the principal Act), in section 2, clause (a) shall be omitted.

3. Insertion of new section 2A: After section 2 of the principal Act, the following section shall be inserted, namely:

Essential commodities declaration etc : '2A (1) For the purposes of this Act, "essential commodity" means a commodity specified in the Schedule.

(2) Subject to the provisions of sub-section (4),the Central Government may, if it is satisfied that it is necessary so to do in the public interest and for reasons to be specified in the notification published in the Official Gazette, amend the Schedule so as to

(a) add a commodity to the said Schedule;

(b) remove any commodity from the said Schedule.

in consultation with the State Government

(3) Any notification issued under sub-section (2) may also direct that an entry shall be made against such commodity in the said Schedule declaring that such commodity shall be deemed to be an essential commodity for such period not exceeding six months to be specified in the notification:

Provided that the Central Government may, in the public interest and for reasons to be specified , by notification in the Official Gazette, extend such period beyond the said six months.

(4) The Central Government may exercise its powers under sub-section (2)_ in respect of the commodity to which Parliament has power to make laws by virtue of Entry 33 in List III in the Seventh Schedule to the Constitution.

(5) Every Notification issued under sub-section (2) shall be laid as soon as may be after it is issued, before both Houses of Parliament.'

4. Amendment of section 3 : In section 3 of the principal Act, in sub-section (2) in clause (g), the words" or cotton textiles" shall be omitted.

5. Amendment of section 12 A : In section 12A of the principal Act, in sub-section (2), in clause (a), sub-clause (1) shall be omitted.

6. Savings of the orders issued under section 3 : All notifications, orders, directions issued or any appointment made, licence or permit granted under section 3 of the principal Act before the commencement of this Act and are in firce, in respect of the essential commodities specified in the scheduls, shall continue to remain in force until and unless it is superseded by any notification, order,

appointment made, licence or permit granted or directions issued and it shall be deemed to have been issued under the corresponding provisions of this Act

THE SCHEDULE

(See section 2A)

Essential commoDities

(1) drugs

Explanation : For the purposes of this Schedule, "drugs" has the meaning assigned to it in clause (b) of section 3 of the Drugs and Cosmetics Act, 1940: (23 of 1940)

(2) fertilizer, whether inorganic, organic or mixed;

(3) foodstuffs, including edible oilseeds and oils;

(4) hank yarn made wholly from cotton;

(5) petroleum and petroleum products;

(6) raw jute textiles;

(7) (i) seeds of food-crops and seeds of fruits and vegetables;

(ii) seeds of cattle fodder; and

(iii) jute seeds.

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