

DEPTT OF CIVIL SUPPLIES & COOP, MIN OF INDUSTRIES & CIVIL SUPPLIES - SO
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REGISTERED No, Gutte i. uiot EXTRAORDINARY (ii) PART 3--Sub-Æ0Hon (A RFTfir« PUBLISHED BY AUTHORITY 488) 30, 9, 1896 No. 488) NEW DELHI, SATURDAY, NOVEMBER 30, 2974/AC,RAHAYANA 9, Sepante paging givm to this Part in order that It may be med a neprszte compllaåon MINISTRY OF INDUSTRY AND .CIVIL SUPPLIES (Døpartnwnt of Civil Supplies Cwpentijn) ORDERS New Delhi. the 30th November 1974 S.O. exercise of the powers conferred by section 5 of the Essential Act, 1955 (10 of 1955). the Central Government hereby dlrect8—• (a) that the powers conferred on it by sub-section (1) of section 3 of the gaid Act to make Orders to provide for lthe matters sp&clflcd in clat..1Beg (d)' (f), (g), (ii) and (j) sub-scction (2) thereof shall, in rela- tioa to all commodities. other than foodstutts and fertillærs (whetlkr inorganic, organic or mixxi), be eyerolsable Llsso by a State GOvernment or. in relation to a Union territory, by the Administrator gubject to the tollowing ccmdtltns, namely: — (i) that the delegation on powers under clause (d) shall not extend to inter- State transport or distribution and the powers under that clause shall not bc exercised as to prejudicially affect such transport or diBiri• bution in pursuance of anv Order issued by the Central Government: (11) that all Orders under clause (f) shall require the prior concurrence ot the Central Government: (iif) that no Order shall be Issued in pursuance of the hereby dele- gated it it iR inconsistent with any Order Issued by the Central Government under the said Act: (iv) that in making an Order relating to uny of the natters specified in clauge (j). the State Government or. as the case may bc. the ad- ministrator oc a Union territory shall nuthorisl? only an omcr of Government; (2437) GÅzi•riE OF iNDIA tPa.rr (b) that the Order of lthe Government of India in the Ministry Qt Commerce No. S.O 1844 dated the 18th June. 1968 lsNkd under section 6 ot the said Aci shall stand rescinded: Provided that, notwiülstandiog such resc[ssion, nnn Order (hereinafter referred to as the eald Order) made by a 5tate Government or an administrator or anv omcer subordinate to tlu•t Stete Government or administrator In pursuance of (he Order so rescinded and In force Immediately before the comtnccmcnt ot thi:. Order, shnll bc deemed to have been made tn purs•nancc ot thig Ordc;• and under the relevant Provisions ot section 3 (it the gaid Act, and sbDll continue in forcé hccording to its tenor. and accordingly any action taken or thing done (including any appointment made, licence or perjnit granted or direc- tim issued) under tho said Order and in force frmmediately before .such commencement Bhall continue in force according to its tenor until and unless it is superæded by any action taken or anything done under other Order made in pursuance of this Ordet and under the relevant provlsiotls ot section 3 of the suid Act. 1974 681 (q) 1955 (1955 Tt I o) 5 TP.r __ (F) 3 (1) * KT'tr, (2) (ii) (q) (iii) Brr (iv) (*f) qfütTrër O ; sec. Sal)' TRE GA.zrrrE OF INDIA EXTRAORDINARY 2439 1 844} 1 8 1 966 3 t, qft• 26 (74-ü 11 J 8.0. exercise of the powers conferred by section' of the Commodities Act, 1955 (IO ot 1955). the Central Government heræby dir#ts— (e) thai the powers conferred on it by sub-section (l) of S or the said Act to make Ordere to provide for the matters 3cd in clause (c) of zub•section (2) thereof Shan in relation to au eserital commoditia, Other than foodstuffs and fertilisers (whether inorganic, organic or mixed), be exergiable also bv a Ste% Government or. in relation to a Union territory, by the adnilnistrator thereof subject to the following conditlous, namely : — (t) that where the prlce at which any esæntlal commodity may be bought or sold is controlled by or under any other law for th etime belng in force, no Order shall be made in pursuance of powers hereby delegated; (li) that where the price is not so no Order shall be made In pureuance of üe powers hereby delegated in respect ot any essentlal commodity,— (A.) It the wh01e-Bele price or retail prlceg, or both, Of such commodity have been axed by the manufacturers or producers with the approval ot Central Government, except on the basis ot auch prices; (m In any other case, except with the prior concurrence ot the Central Government; (iii) that no order shall be Issued in pursuance ot the powers hereby dele• gated if it is Inconsistent with' any Order issued by the Central Government under the •aid Act; (b) that the Order of the GOvernment of India In the Mini.' try of Commerce No. S.O. 2314 dated the 90th July. 1966 i•ued section 6 of the said Act shall stand rescinded : Provided that, notwithBtandlng such resciglon, any Order (hereinafter referred to as the satd Order) made by 8 State Covertunent or an administrator or any omcer subordinate that State Government or