

EAST PUNJAB CONTROL OF BRICKS SUPPLIES ACT, 1949

The East Punjab Control Q/ Bricks Supplies Act, 1949 East Punjab Act 1 1949 CONTENTS Sections 1. Shorts title and extent Definitions 2. Power to control supply. distri bution or constu•nption of bricks 4. Delegation of powers Effect of orders inconsistent with other enactments 5

6. Penalties 7. Attempts and abetments 8. Offences by corporations 9. False statement IO. Cognizance of offences 11. Power to try offences sununarily 12. Presumption as to orders 13. Protection of action taken under the Act LEGISLA I-IISTOR Y Amended in part by' the Adaptation of Laws Orders, 1950. 2 Alliended in part by the Adaptation of laws ("I'hircI Amendment) Order, 1 95 1 3 Extended to Pepsu territory' by Punjab Act 5 of 1957. Published in the East Punja/_) (_;a.zelte Extraordinary, daled lne 25 A/larch. / 949 An Act to control bricks supplies in [Punjab/ It is hereby enacted as . Statement of Objects and Reasons. Owing to inadequate supplies ancl heavy demand of bricks in East Punjab, the brick kiln owners are exploiting the situation and charging exorbitant prices from the public. In the prevailing conditions, there is no likelihood of any improvcnclnt in the situation in the near future, and unless power is taken by legislation to regulate the price and distribution of available supply, it would be difficult to prevenl the conunocliity from getting into lne black markets and being sold at excessive prices, lne Bill is designed to provide for control over the distribution and supply of bricks with a view to securing the equitable distribution of bricks to the public and at reasonable prices, (vide East Punjab Government Gazette Extraordinary, dated 28M February 1949) 1. 2 2. Short title and extent. —(i) This Act be called the East Punjab Control of Bricks Supplies Act, 1949. It extends to the whole of the 2 [State] of 3 [Punjab]. substituted tor the "'Ord "East Puniab" by lne Adaptation of' 195 1 Definitions. — In this Act, unless there is anything repugnant in the subject or context,- (a) 'Brick' any piece of burrit clay havino oeometrical shape fired in a kiln: (b) 'Kiln' noeans a structure used for tiring bricks; and (c) 'dealer' means any person who deals in bricks or holds stocks of bricks for sale and includes his representative or agent.

3. Powers to control supply, distribution or bricksption of bricks.— The '[State] Government in so far as it appears to if to be necessary or expedient for controlling Cloe supply of bricks or for •securing equitable distribution and availability at reasonable prices, noay by notified order, provide ill regard to bricks; (a) for regulating by licences. permits or otherwise the storage. distribution, transpol, acquisition, disposal, manufacture and consumption of bricks: (b) for controlling the prices at which bricks be brought 01' sold; (c) for collecting any informnat-ion or statistics with the vicvv to the regulating of aforesa.id nutters; (d) for requiring dealers kiln owners to Illaintain and produce for inspection such accounts and records regarding bricks and to furn iSh such inforlnation relating thereto, as may be specified in the orcler. (e) for any incidental and supplenwntary noatters including in particu lar the entering and search of premises, veh icles the seizure by a person authorized to mnake such search of the bricks in respect of which such person has reason to be]ievce•, hat contravention of any order made under this Act has been, is being or is about to be conlmitted, the grant or issue of licences, perno its or other clocunlents and the charging of fees therefore

4. Delegation of Powers.The - [State] Government by' order notified in Government Gazette, direct that the power to make orders under Section _3 shall, in relation to such matters and st.Lbject to such conditions, if any as noay be specified in the order be exercisable also by such officer or authority subordinate to (loe 31 State] Government as naay be specifieid in the order

5. Effect of orders inconsistent with other enac(nents.— Any order lilac-le urider section 3 shall have effect not withstanding, any' thing inconsistent therewith contained in enactment other that this Act or in any instrument having effect by virtue of any•' enactinent other than this Act, 6. Penalties. If any person contravenes any order ITIacie, Linder section 3 he shall be punishable with ilnprisonnclnt tor a term which extend to three years or with fine or with both. And if the order so provides, any Coun-t trying such contravention may direct that the order has been contravened or such pan of it as the court noay deem fit Shal] be forfeited to [Government]

7. Attempts and abetments .— Any person who atten'lpts to contravene or abets a contravention of any order under section 3 shall be (lea-ned to have contravened that order. 19 substituted for the word" Province " by the Adaptation 01' luasvs(CFhird 195 20 substituted for the 'vvord "Last Punjab" by the

Adaptation of Laws Order substituted for the word "Provincial" by the Adaptation of Laws Order, 1950 2 substituted for the word "Provincial" by the Adaptation of Laws Order, 1950 3 substituted the word "East Punjab" by the Adaptation of Laws Order, 1950 4 substituted for the word "His Majesty" by the Adaptation of Laws Order, 1950 8. Offences by corporations.- If the person contravening an order made under section 3 is a company or other body corporate, every Director, Manager, secretary, other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge and that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention

9. False statement.- 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 three years or with fine or with both, 10, Cognizance of offence. Cognizable, An offence committed under this Act shall be 11. Powers to try offences summarily.— Any Magistrate or Bench of Magistrates empowered for the time being to try in a summary way the offences specified in sub-section (1) of section 260 of the Code of Criminal Procedure, 1898 (V of 1898) may, on application in this behalf made by the prosecution try in accordance with the provisions contained in sections 262 to 265 of the said Code any offence punishable under this Act

12. Presumption as to orders.(1) No order made in exercise of any power conferred by or under this Act shall be called in question in any court. (1) No suit or prosecution or other 13. Protection of action taken under the Act 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. substituted for the word "Crown" by the Adaptation of Laws Order, 1950