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# The Mizoram Gazette

EXTRA ORDINARY

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No. STM.5/77/145-50, the 15th October, 1977. Whereas the Lt. Governor (Administrator) of Mizoram is of the opinion that it is necessary and expedient so to do for securing the equitable distribution and availability of Essential commodities at fair prices.

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Govt. of India in the Ministry of Agriculture and Irrigation (Department of Food) published under G.S.R. No. 316 dated the 20th June, 1972. 452 (E) dated the 25th October, 1972 and 168 (E) dated the 13th March, 1973 and in the Ministry of Civil Supplies and Co-operation under S.O. 681 (E) and 682 (E) dated the 30th November, 1974 and with the prior concurrence of the Central Government, the Lt. Governor hereby makes the following order, namely :-

### 1. SHORT TITLE EXTENT AND COMMENCEMENT

- (1) This Order may be called the Mizoram (Display of prices and stock of Essential Commodities) Order 1977.
- (2) It extends to the whole Union Territory of Mizoram.
- (3) It shall come into force at once.

### 2. DEFINITIONS :- In this Order, unless the context otherwise requires-

- (a) "Administrator" means the Administrator of the Union Territory of Mizoram appointed by the President under Article 239 of the Constitution;
- (b) "article" means any essential commodity mentioned in the Schedule;
- (c) "dealer" means a person who deals in the sale or storage for sale of any of the articles mentioned in the Schedule;
- (d) "Form" means a form appended to this Order;
- (e) "List of Prices and Stocks" means the list maintained from time to time by a dealer in form 'A' indicating the sale prices and stocks of the articles specified in the Schedule in which the dealer carries on business;
- (f) "price" in relation to an article means the amount of money inclusive of all taxes for which the dealer sells or agrees to sell or part with or offers to sell or part with any article.
- (g) "Schedule" means the schedule appended to this order.
- (h) "stock" means the stock of an article held or possessed by a dealer at any place in his stock on the opening day of business.

### 3. DISPLAY OF LIST OF PRICES AND STOCKS OF ARTICLES :

On and after the date of commencement of this order, every dealer shall during the hours of his business display conspicuously in Form 'A' a list of prices and stocks of articles he deals in at a place as near to the entrance of his business premises as possible.

Provided that for articles "Edible Oils" and "Hydrogenated Vegetable Oil" the actual stock position at the beginning of each day shall be displayed in column

No. 4, of the list in Form 'A' and for the rest of the articles of the Schedule, the words "available" or "Not available" shall be written as per note given below Form 'A'.

Provided also that numerals to be used in the list of prices and stocks shall be in the international form of Indian numerals.

Provided further that in the case of an article which is added to the Schedule at anytime after the commencement of this order, the period of fifteen days shall be counted from the date on which such article is added to the Schedule.

**4. AMENDMENT IN THE SCHEDULE** - The Administrator, may, by order, notified in the official Gazette, add to the Schedule, any other article or omit any article therefrom and thereupon the Schedule shall be deemed to be amended accordingly.

**5. SALE OF ARTICLES ACCORDING TO LIST OF PRICES AND STOCKS:**

No dealer shall

(i) sell to any person any article mentioned in the Schedule at a price higher than that specified in respect of such article in the list of prices.

(ii) refuse to sell such article to any person at the price so specified or marked.

(iii) sell any article to any person without issuing a Cash Memo or a bill and without keeping a duplicate copy of such memo or bill.

Provided that it shall not be necessary to issue any such cash memo (giving particulars of the purchaser i.e. address etc.) or bill or to keep any such duplicate copy in respect of sale of any article costing not more than Rs. 7/- unless demanded by the purchaser.

Provided further that in the case of any essential commodity which is out of stock, instead of writing the price thereof in the list the words "Not available" shall be written in bold letters against that commodity ;

Provided also that the retail price of any category of essential articles so displayed, shall not exceed the retail price, if any fixed or recommended by the Central Government or administrator or any officer authorised by the Administrator in this behalf, or manufacturers or producers from time to time in respect of that category of essential articles.

## 6. COMPLIANCE OF ORDERS AND DIRECTIONS :—

- (1) The Administrator or any competent officer, if so authorised in writing by the Administrator may, in respect of any essential commodity, issue directions to any dealer or class of dealers that essential commodity shall be sold by him in such quantity or number, subject to such conditions after such intervals and in such manners as may be specified in such direction.
- (2) On and from the receipt of such directions, the dealer shall be bound to comply with such directions in the manner specified.

## 7. POWERS OF ENTRY, SEARCH AND SEIZURES ETC.

The Deputy Commissioner, Sub-Divisional Officer or any Officer of the Supply & Transport Department not below the rank of Sub-Inspector of Supply or any police officer not below the rank of Deputy Superintendent of police; or any other police officer not below the rank of Sub-Inspector of Police authorised by the Administrator in this behalf, may with a view secure compliance of this Order or to satisfying himself that this Order has been complied with :—

- (a) require any person to give a copy of his list of prices and stocks of article or any other information in his possession in respect of any business of a dealer carried on by him or on his behalf and such person shall give the copy of the information required of him;
- (b) inspect or cause to be inspected any book or document or any stock or articles belonging to or in the control of any person and take such book or document or stock in his possession; and
- (c) enter and search or authorise any person to enter and search any premises or place and seize or authorise any person to seize any article in respect of which such officers or the authorised person suspected that any provision of this order has been or is being or is about to be contravened.
- (d) The provisions of section 100 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search and Seizure shall, so far as may be, apply to searches and seizures under this clause.

8. EXEMPTIONS :— The Administrator may, from time to time, exempt any person or class of persons from the operation of all or any of the provisions of this Order and may, at any time, suspend or cancel such exemptions.

J.K. Khenglawt,  
Under Secretary  
to the Govt. of Mizoram.

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## FORM 'A'

Name of the dealer  
Premises of business

Date  
Place

List of prices displayed in accordance with clause 3 of the Mizoram (Display of Prices and stocks of Essential Commodities) Order, 1977.

Sl No	Name of Article	Quality price of make of each article unit	Stock on opening day available/non-available.	Remarks
1	2	3	4	5

Signature of dealer.

- Note (A) In the third column each quality/makes of the article should be shown separately so as to indicate the separate price for that quality/ make.
- (B) In fourth column of the above list, if an article is in stock "available" be written and if it is out of stock "not available" be written by a dealer.

## THE SCHEDULE

- 1 Rice and paddy-
- 2 Wheat and Wheat products
3. Sugar
4. Edible Oils.
- 5 Pulses including Grams
6. Hydrogenated vegetable oil of all make.
7. Baby Food, Horlicks and similar food articles.
8. Milk powder and Condensed Milk.
9. Salt.
10. Biscuit.
11. Eggs.
- 12 Bread
13. Butter
14. Kerosine Oil
15. Matches.

16. Drugs and Medicines.
17. Battery (Dry and Wet)
18. Soap and Detergent.
19. Tyres and Tubes.
20. Cement.
21. A.C. Sheets.
22. Papers.
23. Cloth and Yarn (Agency item only)
24. Tea and Coffee.
25. Petrol Oil Lubricant.
26. Electric Bulb and Tubes.
27. Fish, Poultry, Mutton, Pork, Beef.
28. Firewood and Charcoal.
29. Cigarette.
30. Text Book and Lead Pencils.
31. Razor Blades,
32. Hurricane Lantern.