



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ७, अंक ११(४)]

मंगळवार, जुलै ६, २०२१/आषाढ १५, शके १९४३

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असाधारण क्रमांक २६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Essential Commodities (Maharashtra Amendment) Bill, 2021 (L. A. Bill No. XIX of 2021), introduced in the Maharashtra Legislative Assembly on the 6th July 2021, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XIX OF 2021.

A BILL

*further to amend the Essential Commodities Act, 1955,
in its application to the State of Maharashtra.*

10 of 1955. WHEREAS it is expedient further to amend the Essential Commodities Act, 1955, in its application to the State of Maharashtra, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Essential Commodities (Maharashtra Amendment) Act, 2021.

Short title,
extent and
commencement.

(2) It shall extend to the whole of the State of Maharashtra.

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

Amendment
of section 3 of
Act 10 of
1955.

2. In section 3 of the Essential Commodities Act, 1955, after sub-section (1A), the following sub-section shall be inserted, namely:—

10 of
1955.

“(1B) Notwithstanding anything contained in sub-section (1A), the State Government may, by an order, regulate or prohibit the production, supply, distribution, imposing stock limits under extraordinary circumstances, which may include famine, price rise, natural calamity.”.

STATEMENT OF OBJECTS AND REASONS

The Parliament has amended the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), by the Essential Commodities (Amendment) Act, 2020 (Central Act No. 22 of 2020) (hereinafter referred to as “the Central Act”), to provide for the supply of such foodstuffs, including cereals, pulses, potato, onions, edible oilseeds and oils, as the Central Government may, by notification in the *Official Gazette*, specify, may be regulated only under extraordinary circumstances which may include war, famine, extraordinary price rise and natural calamity of grave nature.

2. In the Central Act, there is no provision for the State Government to regulate or prohibit the production, supply, distribution, imposing stock limits under extraordinary circumstances, which may include famine, price rise, natural calamity.

3. To take the power with the State Government to regulate or prohibit the production, supply, distribution, imposing stock limits under extraordinary circumstances, which may include famine, price rise, natural calamity, the Government of Maharashtra considers it expedient to amend section 3 of the Essential Commodities Act, 1955, in its application to the State of Maharashtra.

4. The Bill is intended to achieve the above objectives.

Mumbai,
dated the 6th July 2021.

CHHAGAN BHUJBAL,
Minister for Food, Civil Supply
and Consumer Protection.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely:—

Clause 1(3).—Under this clause, power is taken to the State Government to bring into force the provision of the Act on such date, as the State Government may, by notification in the *Official Gazette*, appoint.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.