

14.29 hrs.

**ANNOUNCEMENT R.E. STATEMENTS  
BY THE PRIME MINISTER AND  
THE DEFENCE MINISTER**

**MR. SPEAKER :** Before taking up the next item I have to inform the House that the Prime Minister will make a statement at 2.45 P.M. and the Defence Minister at 3.30 P.M.

**AN HON. MEMBER :** Likely to make a statement ?

**MR. SPEAKER :** It is not 'likely', but she will make a statement. She had been out but she has definitely reached back.

**SHRI S. M. BANERJEE (Kanpur) :** I hope you will give us also an opportunity to make a statement on the international situation. We also want to make some statement some day. We have been demanding this from you.

**MR. SPEAKER :** Let him not raise it every day.

14.30 hrs.

**ESSENTIAL COMMODITIES (AMEND-  
MENT) BILL**

**THE MINISTER OF STATE IN THE  
MINISTRY OF INDUSTRIAL DEVELOP-  
MENT (SHRI GHANSHYAM) OZA) :** I beg to move :\*

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration".

The main purpose of bringing forward this amending Bill is to make the provisions of section 12A of the Essential Commodities Act permanent. As the House is perhaps aware, the provisions of section 12A will cease to have effect on the 31st December, 1971. When the Bill was last amended, some hon. Members had expressed the desire that this amendment should be for a longer period or should be put on a permanent basis. But at

that time Government thought that first they could have it for a period of two years and then they could review the position. We have also taken this opportunity to remove certain anomalies that are existing in the Act and to make the provisions of some of the sections more purposeful and more effective.

As hon. Members are aware, section 12A deals with orders which are called special orders. When Government notify that a certain order is to be treated as a special order, the trials under those provisions are to be held summarily. We have found that this has had a very salutary effect. We have been able to deal with the situation more effectively thereby and it is the experience of the State Government and the Union territories that these provisions have been salutary and they have desired that they should be maintained on the statute-book. Therefore, we have brought forward this amending Bill to make section 12A which is expiring on the 31st December, this year, a permanent provision. It is, however, an enabling thing, and it is only when Government notify that a particular order is to be treated as a special order that the trial will be summary. But we know that the provision of the law are a bit stringent, and, therefore, we have also provided that these notifications are to endure only for a period of two years and thereafter they would cease to operate and shall have to be reviewed. We have made this provision because of the stringency of the provisions relating to special order.

As I have said, we also want to utilise this opportunity to plug certain loopholes that we have found in the implementation of the Act.

For example, under section 2 (1) (J) Government are authorised to issue orders so as to make search, seizure etc, legally. Under that provision, the officers who is doing the search can seize the articles in respect of which the law has been violated, but he cannot seize the receptacles, the coverings and the vehicles. This was a bit irksome in the implementation of the law, and, therefore, to make things clear, we have said that the officer who is searching the vessels, vehicles or aircraft or any other mode of conveyance cannot be empowered only to seize the articles but

\*Moved with the recommendation of the President.