

*Rep. Reg. No. 58 of 1960, S. 2 & Ser. I (w/ 26.12.60)*

**THE ESSENTIAL COMMODITIES (AMENDMENT)**

**ACT, 1957**

**NO. 13 OF 1957**

[4th June, 1957]

**An Act further to amend the Essential Commodities Act, 1955.**

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Essential Commodities (Amendment) Act, 1957. Short title.

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

“(3A). (i) If the Central Government is, of opinion that it is necessary so to do for controlling the rise in prices, or preventing the hoarding, of any foodstuff in any locality, it may, by notification in the Official Gazette, direct that notwithstanding anything contained in sub-section (3), the price at which the foodstuff shall be sold in the locality in compliance with an order made with reference to clause (f) of sub-section (2) shall be regulated in accordance with the provisions of this sub-section.

(ii) Any notification issued under this sub-section shall remain in force for such period not exceeding three months as may be specified in the notification.

(iii) Where, after the issue of a notification under this sub-section, any person sells foodstuff of the kind specified therein and in the locality so specified, in compliance with an order made with reference to clause (f) of sub-section (2), there shall be paid to the seller as the price therefor—

(a) where the price can, consistently with the controlled price of the foodstuff, if any, fixed under this section, be agreed upon, the agreed price;

(b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;

(c) where neither clause (a) nor clause (b) applies, the price calculated with reference to the average market rate prevailing in the locality during the period of three months immediately preceding the date of the notification.

(iv) For the purposes of sub-clause (c) of clause (iii), the average market rate prevailing in the locality shall be determined by an officer authorised by the Central Government in this behalf, with reference to the prevailing market rates for which published figures are available in respect of that locality or of a neighbouring locality; and the average market rate so determined shall be final and shall not be called in question in any court."