

बिहार सरकार  
खाद्य एवं उपभोक्ता संरक्षण विभाग

पत्रांक - प्र04/आ0व0अधि0-04/2010-

खाद्य, पटना/दिनांक-

प्रेषक,

सत्य प्रकाश,  
विशेष कार्य पदाधिकारी ।

सेवा में,

सभी जिला पदाधिकारी ।

विषय :- **E.C.Act/PBMACT** अन्तर्गत की गई कार्रवाई के सम्बन्ध में ।

महाशय,

निदेशानुसार, उपर्युक्त विषय के सन्दर्भ में Director (ECR&E) उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय, उपभोक्ता मामले विभाग का पत्रांक 2/2/2012-ECR&E दिनांक 04.05.12 की छायाप्रति संलग्न करते हुए अनुरोध है कि पत्र में उल्लिखित विन्दुओं पर **E.C.Act/PBMACT** अन्तर्गत की गयी कार्रवाई के सम्बन्ध में सूचना पत्र प्राप्ति के दो दिनों के अंदर निश्चित रूप से उपलब्ध कराने की कृपा की जाय जिससे तत्सम्बन्धी प्रतिवेदन भारत सरकार को शीघ्र भेजा जा सके ।

अनु0-यथोक्त ।

विश्वासभाजन,

ह0/-

विशेष कार्य पदाधिकारी ।

ज्ञापांक - प्र04/आ0व0अधि0-04/2010-3301 खाद्य, पटना/दिनांक-25/5/2012  
प्रतिलिपि - आई0 टी0 मैनेजर, खाद्य एवं उपभोक्ता संरक्षण विभाग, बिहार, पटना  
को विभागीय वेब-साईट पर अपलोड एवं ई-मेल करने के लिए सूचनार्थ प्रेषित ।

विशेष कार्य पदाधिकारी ।

**No. 2/2/2012-ECR&E**  
**Government of India**  
**Ministry of Consumer Affairs, Food and Public Distribution**  
**Department of Consumer Affairs**

**Krishi Bhawan, New Delhi**  
**Dated: 04.05.2012**



The Secretaries,  
 Food Civil Supplies & Consumer Affairs Department of  
 All States/UTs.

**Subject: Furnishing of information/material in respect of action taken under provisions of EC Act/PBM Act – reg.**

Sir,

I am directed to refer to AS(CA)'s d.o. letter of even number dated 17/4/2012 on the subject cited above and to say that this Department has been requesting the State Govts/UT Admns from time to time to ensure that the Monthly Action Taken Reports under the Essential Commodities Act, 1955 and Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities (PBMMSEC) Act, 1980 are sent to this Department on a regular and timely basis as this helps in monitoring the steps being taken by the States/UTs to check price rise by taking action under the provisions of these Acts against unscrupulous traders who indulge in hoarding and blackmarketing of essential commodities. D.O. letters at the level of Hon'ble MOS(I/C) CAF&PD, Secretary (CA) and Additional Secretary (CA) have also been sent earlier reiterating this issue. Besides, the Parliamentary Standing Committee have also been taking serious note of the matter. The Hon'ble Supreme Court/High Courts have also expressed their displeasure at the infringement of Fundamental Rights of Indian citizens for not using the provisions of PBMMSEC Act, 1980 appropriately. All these have been communicated to the States/UTs earlier and the need for prompt action on furnishing Monthly Action Taken Reports stressed.

2. In spite of the above, it is observed that most of the States/UTs have not been furnishing the requisite reports/information in a regular/timely manner. More recently the following point-wise information had been requested for within seven days.

Contd.....



- i) Why the State Governments/UT Administrations are not enforcing the provisions of PBMMSEC Act 1980? What all are the difficulties being faced in the prevention of black-marketing and action against hoarders of essential commodities especially under the PBMMSEC Act 1980;
- ii) Action taken to detain persons involved in misconduct under the provisions of the Prevention of Black- marketing and Maintenance of Supplies of Essential Commodities Act, 1980 as also sending action taken reports under these Acts;
- iii) Hurdles in the implementation of penal provisions contained in the EC Act, 1955;
- iv) The reasons for low prosecution/conviction vis-à-vis the number of raids, arrests;
- v) What are the administrative constraints in enforcing the provisions of the EC Act, 1955 and PBMMSEC Act, 1980 especially as measures to contain price rise in some essential commodities?
- vi) What are the reasons for not sending monthly action taken report (timely and not at all) under the EC Act 1955 by some States?
- vii) Even Nil report may be sent in the prescribed format already circulated to the State Governments/UT Admns for the EC Act, 1955 and PBMMSEC Act 1980.

3. However, the same is yet to be received from your end in this Department so far. I would like to therefore, request your kind and personal intervention so that the requisite information is furnished to this Department on a top priority basis to facilitate further necessary action in the matter.

Shri Shishir Sinha,  
Pr. Secretary,  
Department of Food & Consumer Protection,  
Government of Bihar, Main Secretariat Building,  
Patna-800015.

Yours faithfully,  
  
(G.N. Singh)  
Director (ECR&E)  
Tel: 23388317