

## **BOMBAY FODDER AND GRAIN CONTROL ACT, 1939**

**26 of 1939**

**[12th December, 1939]**

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## **BOMBAY FODDER AND GRAIN CONTROL ACT, 1939**

**26 of 1939**

**[12th December, 1939]**

An Act to provide for the control and regulation of supply and distribution of fodder and grain including regulation of prices thereof in the Province of Bombay on occasions of famine or scarcity. WHEREAS it is expedient to provide for the control and regulation of supply and distribution of fodder and grain Including regulation of prices thereof in the Province of Bombay on occasions of famine or scarcity: It is hereby enacted as follows:-

### **1. Short title, extent and commencement :-**

(1) This Act may be called the Bombay Fodder and Grain Control Act, 1939 .

(2) It shall extend to the whole of the <sup>1</sup> [Bombay area of the State of Gujarat].

(3) It shall come into force with effect from such date as the State Government may by notification in the Official Gazette appoint.

1. Substituted by Gujarat A.O. 1960.

## **2. Definitions :-**

In this Act, unless there is anything repugnant in the subject or context,-

(1) "Famine area" means any area declared to be famine area under Section 3 ;

(2) "Scarcity area" means any area declared to be a scarcity area under Section 3 ;

(3) "Standard price" means the maximum price fixed for sale of fodder or grain under Section 3 .

## **3. Power to declare famine and scarcity area and to fix standard prices. :-**

(1) The State Government may, from time to time, by notification in the Official Gazette, declare that a state of famine or scarcity prevails in any local area <sup>1</sup> [to which this Act extends]; and thereupon the said area shall be a famine area or a scarcity area, as the case may be, for the purposes of this Act for such period as the State Government may direct.

(2) On declaration being made under sub-section (1), the State Government may also by like notification declare that all contracts for the sale of fodder or grain of any kind entered into on or after the date specified in the notification shall be subject to the provisions of this Act.

(3) The State Government may, by notification in the Official Gazette, fix a standard price for the sale of fodder or grain in any famine area or scarcity area or in such other area as may be specified in the notification.

1. Substituted by Gujarat A.O. 1960.

## **4. . :-**

(1) Sum in excess of the standard price not to be recovered.- No person shall recover on account of sale of fodder or grain of any kind in any area for which a standard price has been fixed under sub-section (3) of Section 3 any sum in excess of the standard price.

(2) Vendor to give receipt to purchaser.-Every vendor of grain or fodder or any person acting on his behalf selling fodder or grain in any area referred to in sub-section (1) shall give to the purchaser a

receipt showing the sum received as the consideration for the sale, the quantity and quality of fodder or grain sold.

**5. Prohibition against removal of fodder or grain from any local area :-**

(1) After the State Government has made a declaration under sub-section (1) of Section 3 that of scarcity prevails in any local area and during the period for which such declaration is in force, the State Government may, at any time, is being satisfied that it is necessary for the relief of poor persons or for the protection of agriculture or for the preservation of public health in such famine area or scarcity area that the removal of fodder or grain of any kind from such famine area or scarcity area or from any other local area should be restricted, direct, by notification in the Official Gazette, that no person shall remove from

(2) On such direction being issued no person shall remove attempt to remove] from the local area mentioned in the notification any such fodder or grain <sup>1</sup> [without obtaining permission in the manner provided in sub-section (1) for the removal of such fodder or grain.]

1. Inserted by Bombay 17 of 1941, read with Bombay 11 of 1948.

**6. Sums in excess of standard price not to be recoverable. :-**

(1) Any sum agreed to be paid as consideration for the sale of fodder or grain of any kind in excess of the standard price shall be irrecoverable.

(2) If any such sum has been paid, it shall be recoverable by the person paying the same from the person to whom it was paid.

**7. Penalty for contravention of section 4 or 5 :-**

Whoever contravenes any of the provisions of Section 4 or Section 5 shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to Rs. 1,000 or with both.

**8. Rules :-**

The State Government may by notification in the Official Gazette make rules for carrying out the provisions of this Act.