



# THE KARACHI ESSENTIAL ARTICLES (PRICE CONTROL AND ANTI-HOARDING) ACT, 1953



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# THE KARACHI ESSENTIAL ARTICLES (PRICE CONTROL AND ANTI-HOARDING) ACT, 1953.

<sup>1</sup>ACT NO. XXVII OF 1953

[3<sup>rd</sup> November, 1953]

An Act to provide for regulating the possession, distribution, sale and prices of certain essential articles in the <sup>2</sup>[Karachi Division].

WHEREAS it is expedient to make certain provisions for regulating the possession, distribution, sale and prices of certain essential articles in the <sup>2</sup>[Karachi Division] ;

It is hereby enacted as follows:—

**1. Short title extent and commencement.**—(1) This Act may be called the Karachi Essential Articles (Price Control and Anti-Hoarding) Act, 1953.

(2) It extends to the <sup>2</sup>[Karachi Division].

(3) It shall come into force at once.

**2. Definitions.** In this Act, unless there is anything repugnant in the subject or context,—

<sup>3</sup>[(a) “Commissioner” means the Commissioner of the Karachi Division ;]

(b) “essential article” means any article, other than an “essential commodity” within the meaning of section 2 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), which the <sup>4</sup>[Commissioner] may, from time

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<sup>1</sup> For Statement of Objects and Reasons, see Gaz. of P., 1953, Pt. IX, p. 131.

<sup>2</sup> Subs. by A.O., 1964, Art. 2 and Sch., for “Federal Territory of Karachi” which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3, and 2<sup>nd</sup> Sch. for “Capital of the Federation”.

<sup>3</sup> Subs. *ibid.*, for clause (a) which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2<sup>nd</sup> Sch., for the original clause (a) .

<sup>4</sup> Subs. *ibid.*, for “Agent” which had been subs. by Ordinance 1 of 1961. s. 3 and 2<sup>nd</sup> Sch., for “Chief Commissioner”.

to time, declare by notification, to be an article to which the provisions of this Act shall apply ;

(c) “notification” means a notification published in the official Gazette ;

(d) “prescribed” means prescribed by rules made under this Act ;

(e) “retailer” means a trader who sells any essential article directly to a consumer ;

(f) “trader” means any person engaged in the purchases, sale, or storage for sale of any essential article ;

(g) “wholesaler” means a trader other than a retailer

**3. Power to fix prices and to require marking of prices.**—(1) The <sup>1</sup>[Commissioner] may, by notification, fix the maximum prices above which no essential article shall be sold by any wholesaler, retailer, trader or any other person, and the prices so fixed may be different in different localities.

(2) The <sup>1</sup>[Commissioner] may, by notification, require any trader to mark essential articles with the sale prices fixed under sub-section (1), in such manner as may be prescribed.

(3) The <sup>1</sup>[Commissioner] may, by order in writing, require any trader to exhibit a list of essential articles with prices fixed under sub-section (1) at convenient place of his shop premises as prescribed.

**4. Prohibition against purchase, sale, etc., at prices exceeding the maximum price.**—(1) Notwithstanding anything contained in any contract, no wholesaler, retailer, trader or other person shall sell or purchase, or deliver or accept delivery of, any essential article at a price exceeding the maximum price fixed under sub-section (1) of section 3.

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<sup>1</sup> Subs. by A.O., 1964, Art. 2 and Sch., for “Agent” which had been subs. by Ordinance 1 of 1961, s. 3 and 2<sup>nd</sup> Sch., for “Chief Commissioner”.

(2) No trader shall sell or offer or exhibit for sale any essential articles in respect of which marking of sale prices has been required under sub-section (2) of section 3 unless such article has been so marked.

**5. Power to control possession of essential article.**— (1) The <sup>1</sup>[Commissioner] may, by notification, direct that no wholesaler, retailer, trader or other person shall keep in his possession or under his control any essential article in excess of the quantity specified in such notification.

(2) If, on the date of issue of a notification under subsection (1) in respect of any essential article, any wholesaler, retailer, trader or other person has in his possession any quantity of such essential article in excess of the quantity specified in such notification, he shall forthwith report the fact to the <sup>1</sup>[Commissioner] or to such other officer as may be empowered in this behalf by the <sup>1</sup>[Commissioner], and shall take such action as to storage, distribution, or disposal of the excess quantity as the <sup>1</sup>[Commissioner] or such other officer may direct.

**6. Power to require licence for trading.** The <sup>1</sup>[Commissioner] may, by notification, direct that no trader or class of traders shall deal in any essential article except under, and in accordance with the conditions of, a licence issued in this behalf by the <sup>1</sup>[Commissioner], on payment of such fees and in such manner and form as may be prescribed.

**7. Direction to sell to specified persons.** The <sup>1</sup>[Commissioner] may, by general or special order in writing, direct any wholesaler, retailer, or trader holding stocks of any essential article to sell the whole or a specified part thereof at prices not exceeding the maximum fixed under subsection (1) of section 3, to such persons or class of persons and in such circumstances or against such permits as may be specified in the order.

**8. Prohibition against withholding of sales.** No wholesaler, retailer or trader shall, unless previously authorised in writing to do so by the <sup>1</sup>[Commissioner], withhold from sale or refuse to

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<sup>1</sup> Subs. by A.O., 1964, Art. 2 and Sch., for "Agent" which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2<sup>nd</sup> Sch., for "Chief Commissioner".