

**THE FOODGRAINS SUPPLY (PREVENTION OF
PREJUDICIAL ACTIVITY) ORDINANCE, 1979**

ORDINANCE NO. XXVI OF 1979

[25th July, 1979]

An Ordinance to provide for special measures for prevention of prejudicial activity relating to the storage, movement, transshipment, supply and distribution of foodgrains.

WHEREAS it is expedient to provide for special measures for prevention of prejudicial activity relating to the storage, movement, transshipment, supply and distribution of foodgrains;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance:-

Short title

1. This Ordinance may be called the Foodgrains Supply (Prevention of Prejudicial Activity) Ordinance, 1979.

Ordinance to override all other laws

2. This Ordinance shall have effect notwithstanding anything contained in the Industrial Relations Ordinance, 1969 (XXIII of 1969), or in any other law for the time being in force.

Offences

3. (1) A person shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to taka five thousand, or with both, if he engages in any activity prejudicial to the storage, movement, transshipment, supply and distribution of foodgrains.

(2) A person shall be deemed to have engaged in an activity prejudicial to the storage, movement, transshipment, supply and distribution of foodgrains, if he-

- (a) being a person engaged or employed, whether as a worker, employee, contractor or otherwise, in connection with the storage, movement, transshipment, supply and distribution of foodgrains (hereinafter referred to as "person aforesaid") absents himself or otherwise abstains from, his duties, whether or not in concert with others, without leave of absence or any reasonable excuse; or

- (b) incites or in any manner persuades any person aforesaid to be absent or to abstain from, or not to perform, his duties or prevents him from attending to and performing his duties; or
- (c) engages in any activity which causes disaffection among, or interferes with the discipline of, or obstructs the performance of duties by, any person aforesaid; or
- (d) instigates, directly or indirectly, the use of criminal force against any person aforesaid; or
- (e) does any act or thing which impedes, delays or restricts, or is calculated to impede, delay or restrict, the transportation, movement, supply or distribution of foodgrains; or
- (f) makes, prints, publishes or distributes any document containing, or spreading by any other means whatsoever, any false statement or information relating to storage, movement, transshipment, supply or distribution or foodgrains; or
- (g) causes, or does any act or thing calculated to cause, fear or alarm to the public or any section of the public in respect of availability of foodgrains.

4. (1) Where the Government, or any authority empowered by it in this behalf, is satisfied in respect of any person that with a view to preventing him from engaging in any activity prejudicial to storage, movement, transshipment, supply and distribution of foodgrains, it is necessary so to do, it may make an order directing that such person be detained for a period not exceeding three months.

Restriction on movement of certain persons and detention orders

(2) A detention order under sub-section (1) may be executed at any place in Bangladesh in the manner provided for execution of warrants of arrest under the Code of Criminal Procedure, 1898 (Act V of 1898).

5. Any police officer not below the rank of Sub-Inspector or any other person empowered by the Government in this behalf, may arrest without warrant any person who has been, or against whom a reasonable suspicion exists of his having been, concerned in an offence punishable under this Ordinance.

Power of arrest without warrant