

THE ANDHRA PRADESH GIFT GOODS (PREVENTION OF UNLAWFUL
POSSESSION) ACT, 1965
(ACT NO. 10 OF 1965)

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title, extent and commencement
2. Definitions
3. Sale, purchase, transport of gift goods without permission
4. Unlawful possession of gift goods
5. Offences under this Act to be cognizable
6. Power to amend Schedule
7. Power to make rules
8. Notification and rules to be laid before the Legislature

SCHEDULE

THE ANDHRA PRADESH GIFT GOODS (PREVENTION OF UNLAWFUL
POSSESSION) ACT, 1965
(ACT NO. 10 OF 1965)

(20th April, 1965)

AN ACT TO PREVENT THE UNLAWFUL POSSESSION OF CERTAIN GOODS
GIFTED BY SOME RELIEF ORGANISATIONS AND THE MATTERS
CONNECTED THEREWITH.

BE it enacted by the Legislature of the State of Andhra Pradesh in the Sixteenth Year of the Republic of India as follows:-

1. Short title, extent and commencement – (1) This Act may be called the Andhra Pradesh Gift Goods (Prevention of Unlawful Possession) Act, 1965.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.

2. Definitions - In this Act, unless the context otherwise requires,-

(a) "gift goods" means any of the following goods, namely:-

(i) cornmeal;

(ii) drugs, diet supplements, equipment and vehicles;

(iii) milk powder;

(iv) vegetable oil (soya bean or sun-flower seed oil);

(v) butter, butter oil, ghee and hydrogenated vegetable oil;

(vi) pea beans;

(vii) cheese;

(vi) bulgur wheat;

(ix) gift paper;

supplied by way of gift, by any relief organisation to any State Government or to the Central Government or to any other person on behalf of such Government;

(x) such other goods as may be notified in the Andhra Pradesh Gazette by the State Government in this behalf;

(b) "relief organisation" means any organization specified in the Schedule;

(c) "schedule" means the Schedule to this Act.

3. Sale, purchase transport of gift goods without permission - (1) No person shall sell or purchase any gift goods, and no person shall transport any gift goods save with the previous permission of such authority and subject to such conditions as may be specified.

(2) Any person who contravenes the provisions of sub-section (1) shall on conviction be punishable with imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees, or with both.

4. Unlawful possession of gift goods - If any person is found, or is proved to have been, in possession of any gift goods shall, unless he proves that the gift goods came into his possession lawfully, on conviction be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

5. Offences under this Act to be cognizable - (1) Notwithstanding anything in ¹[the Code of Criminal Procedure, 1898], any offence punishable under this Act shall be a cognizable offence within the meaning of that Code.

(2) No court inferior to that of a Chief City Magistrate in the cities of Hyderabad and Secunderabad or of a Magistrate of the First Class elsewhere shall try any offence punishable under this Act.

6. Power to amend Schedule - The State Government for reasons recorded may by notification in the Andhra Pradesh Gazette, add any organisation to, or omit any organisation from the Schedule; and on the publication of such notification, such organisation shall be deemed to be included in, or as the case may be, omitted from the Schedule.

7. Power to make rules - (1) The State Government may, by notification in the Andhra Pradesh Gazette, make rules for carrying out the purposes of this Act.

(2) Any rule made under sub-section (1) may provide that a breach thereof shall be punishable with fine which may extend to fifty rupees.

8. Notification and rules to be laid before the Legislature - Every notification made under clause (a) of section 2 or under section 6 or every rule made under this Act, shall, immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following for the total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the notification or rule or in the annulment of the notification or rule, the notification or rule shall thereafter have effect only in such modified form or stand annulled as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that notification or rule.

¹. See now the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

THE SCHEDULE

[Section 2 (b)]

1. United Nations International Children's Emergency Fund (UNICEF)
2. Co-operative for American Relief Everywhere (CARE)
3. Technical Co-operation Mission (TCM)
4. Church World Service
5. Luthern World Relief
6. Catholic Relief Service
7. Indian Red Cross Society
8. Indian Conference of Social Work