

**THE MEGHALAYA FOODSTUFFS
[DISPLAY OF PRICES CATERING ESTABLISHMENT] ORDER, 1982.**

NO. SUP. 73 / 82 / 05, dated **18th December, 1982**. :: Where as the Govt. of Meghalaya are of the opinion that it is necessary and expedient so to do for maintaining the supplies of certain Essential Commodities and for securing their equitable distribution and availability at Fair Prices.

Now therefore, in exercise of the Power conferred by Sub - Section (1) and (2) of Section - 3 of the Essential Commodities Act, 1955, [Central Act of 1955] read with the Order of the Govt. of India in the Ministry of Agriculture (Department of Food) NO. GSR. 800, dated the 09/06/1978 and with the prior concurrence of the Central Govt. The Govt. of Meghalaya hereby makes the following Order namely :-

01. Short title, extend, application and commencement :-

- (i) This Order may be called the **Meghalaya Foodstuffs [Display of prices by Catering Establishment] Order, 1982**.
- (ii) It extends to the whole of the State of Meghalaya.

02. Definition :- In this Order, unless the context otherwise requires :-

- (i) "**catering establishment**" means a Hotel, Restaurant, Eating House, Café, Tea shop, Coffee Stall, Club, Boarding Houses, Canteen, where Foodstuffs are served, supplied or consumed on payment of Price and includes any other place of like nature open to the Public.
- (ii) "**District Collector**" means the Collector of a District.
- (iii) "**Director**" means the **Director of Food and Civil Supplies**, Meghalaya.
- (iv) "**Enforcement Officer**" in respect of any area means a Person appointed by the Govt. to exercise the powers and perform the functions of an enforcement Officer under this Order in respect of that area, and there no such Person has been appointed in any area, any Officer of the Food and Civil Supplies Department not below the rank of Sub - Inspector of Supply or any Officer of the Police Department not below the rank of Sub - Inspector having jurisdiction in the area ;
- (v) "**Foodstuff**" means any Article of Food or combination of Articles of food kept for sale or service or supply at a Catering Establishment and includes Liquid refreshment and beverages ;
- (vi) "**Price**" in respect of an item of Foodstuff means the amount including Sales Tax and service charges to be paid for that item by the Consumer to the Catering Establishment.

03. Display of Prices of Foodstuffs :-

- (1) The owner or any other Person in charge of Catering Establishment shall display at a conspicuous place of the Catering Establishment the price of every item of Foodstuffs in that establishment ;
- (2) Where Sales Tax or service charges are to be paid in addition to the price displayed under Sub - Clause (1), the rate of Sales Tax or service charges payable shall be shown separately alongwith the Price.

04. Owner etc., to furnish information :-

The Owner or any other Person in charge of a Catering Establishment shall, when required by Director / District Collector by general or Special Order, furnish truth fully and to the best of his knowledge and belief such particulars or information as may be required relation to the Foodstuffs kept for sale, service supply or consumption in that establishment.

05. Owner etc., to give facilities for Inspection :-

The Owner or any other Person in charge of the Catering Establishment shall give all facilities of all reasonable times to any Enforcement Officer for inspection of the Foodstuff kept for sale, service or supply at that Catering Establishment or at any other place used for preparation of Foodstuff for the purpose of that Catering Establishment.

06. Power of entry, search, seizure etc. :-

- (1) As Enforcement Officer may, with a view to securing compliance with this order or to satisfy himself that the provisions of this Order have not been contravened ;
 - (a) require the Owner, occupier or any other Person in charge of any Catering Establishment to make any statement or furnish any information or produce any Books, Accounts or other documents showing transaction relating to Foodstuffs and every person so required shall comply with such requisition ;
 - (b) inspect any Foodstuffs, Book, Accounts or other documents pertaining to any Foodstuffs, and for that purpose enter any premises used or believed to be used for preparation, sale, service or supply of any Foodstuffs ;
 - (c) Enter, inspect or break open and search any place or premises in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be, committed ;
 - (d) Seize any document or take or cause to be taken extracts from or copies of, any documents showing transactions relating to any Foodstuffs ;
 - (e) Seize any article, Book of Accounts or documents which in his opinion would be useful for, or of relevant to any proceeding under this Order ;

(f) Search, seize and remove any Foodstuff together with packages, covering, receptacles, Vehicles of vessels in which the Foodstuff is found in contravention of the provisions of this Order and thereafter take or authorise the taking of all measures necessary for securing the production of such Foodstuffs and the packages, covering, receptacles, vehicles or vessels so seized in a Court of Law and for their safe custody pending such production.

2. The Provisions of **Section - 100** of Code of **Criminal Procedure, 1973 (Central Act 2 of 1974)**, relating to search and seizure shall, so far as may be, apply to search and seizure under this Clause.

07. Power to exempt :-

The Govt. may be, order notified in the Gazette for reasons to be recorded in writing exempt any Catering Establishment or Class or Catering Establishment from the operation of all or any of the provisions of this Order subject to such condition, if any, as they may deem fit to impose and may at any time suspend or rescind such exemption.

08. On promulgation of this Order, the earlier Order, viz., :-

The **Meghalaya Food [Restriction on Service or Meals by Catering Establishment] Order, 1973**, is withdrawn.

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