

TYRES AND TUBES (MOVEMENT CONTROL) ORDER. 1974

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TYRES AND TUBES (MOVEMENT CONTROL) ORDER. 1974

¹1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(ii). dated the 29th April, 1974, p. 94. S.O. 273 (E), dated the 29th April, 1974.-Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of certain categories of tyres and tubes; Now, therefore, in exercise of the powers conferred by Sec. 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order namely:

1. Short title, extent and commencement :-

- (1) This Order may be called the Tyres and Tubes (Movement Control) Order, 1974.
- (2) It extends to the whole of India.
- (3) It shall come into force at once.

2. Definitions :-

In this Order, unless the context otherwise requires,-

- (a) "manufacturer" means a person engaged in the manufacture of any of the tyres and tubes to which this Order relates;
- (b) "State Government" means the Government of any State and includes the Administrator of a Union Territory;
- (c) "tyres and tubes" means any of the following categories of tyres and tubes, namely:
 - (i) truck tyres and tubes;

(ii) rear tractor tyres and tubes;

(iii) **1**[* * * * *]:.

2 [Provided that nothing in this sub-clause shall apply to old and unserviceable tyres and tubes],

1. Omitted by S.O. 736 (E), dated 27th December, 1974.

2. Ins. by S.O. 736 (E), published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (ii), dated 27th December, 1974.

3. Restrictions on movement of tyres and tubes :-

No person, other than a manufacturer, shall move, attempt to move, or abet the movement of any of the tyres and tubes from any place in a State to any place outside it except under and in accordance with a permit issued by the State Government or by any officer authorised by the State Government in this behalf: Provided that nothing contained in this clause shall apply to the movement of any tyre or tube on Central Government accounts.

4. Powers of entry, search, seizure, etc :-

(1) Any police officer not below the rank of an Assistant Sub-Inspector or any other officer authorised in this behalf by the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with-

(a) stop and search any person or any boat, motor or other vehicle used or intended to be used for the movement of tyres or tubes,

(b) enter and search any place,

(c) seize-

(i) any tyres or tubes in respect of which he has reason to believe that a contravention of any of the provisions of this Order has been, is being, or is about to be committed,

(ii) any packages or coverings in which any tyre or tube is found, and

(iii) the animals, vehicles, vessels or other conveyances used in carrying any tyre or tube, if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and thereafter take or authorise the taking of all measures necessary for securing the production of packages,

coverings, animals, vehicles or vessels or other conveyances so seized in a court and for their safe custody pending such production;

(d) examine or seize any books of accounts or documents which in his opinion would be useful for, or relevant to, any proceedings in respect of any contravention of this Order and return such books of accounts and documents to the person from whom they were seized after copies thereof and extracts therefrom as certified from that person have been taken.

(2) The provisions of Sec. 100 of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search shall, so far as may be, apply to searches and seizures under this clause.

5. Effect of order :-

The provisions of this Order shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.