

The present private complaint has lodged by the Assistant Director of Agriculture and Fertilizer Inspector, H.D.Kote for the offence punishable under Clause 19(a) (b) (c) (v) of Fertilizer Control Order 1985 and section 3 and 7 of Essential commodities Act.

Complainant is a public servant and he has filed the private complaint by discharging his official duty. Hence, recording of sworn statement of complainant is dispensed.

Perused the complaint, wherein it is alleged that on 24.07.2019 the then Agriculture officer Sri.C.M.Prakash visited the premises of accused No.1 and found that he has storage sub-standard quality of fertilizer i.e., 10:26:26 and thereafter seized under a panchanama and sample fertilizer was sent for analysis to the chemical analysis on 25.07.2019 and report was received on 19.08.2019. The said fertilizer was found to be of sub-standard quality. Accused No.1 is the dealer, Accused No.2 is responsible for the storage and distribution of the fertilizer and Accused No.3 is the fertilizer manufacturer of sub-standard quality of fertilizer for sale and thereby caused loss to the consumers. Hence, the complainant prayed for action against the accused persons.

The Assistant Director of Agriculture and fertilizer Inspector collected sample and issued notice to the accused persons and also obtained reply.

I have perused the documents produced by the complainant. Prima-facie case is made out against the accused persons from the materials placed before the court to take cognizance of the offence punishable under Clause 19(a) (b) (c) (v) of Fertilizer Control Order 1985 and section 3 and 7 of Essential commodities Act 1955. Hence, this court proceed to pass the following:

ORDER

Cognizance is taken for the offences punishable u/s Clause 19(a) (b) (c) (v) of Fertilizer Control Order 1985 and section 3 and 7 of Essential commodities Act 1955.

Office is directed to register as Criminal Calendar Case in Register No.III (Criminal).

Issue summons to accused No.1 to 3.

Civil Judge & JMFC,
H.D.Kote