

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: W.P.No.29141 of 2025

PROCEEDING SHEET

Sl.No	DATE	ORDER	OFFICE NOTE
	05.11.2025	<u>VS, J</u> <u>I.A.No.1 of 2025</u> Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Civil Supplies. On perusal of the impugned proceedings, it appears that the 2nd respondent has failed to issue a notice under 6-B of the Essential Commodities Act, 1955 (for short “the Act”), which is mandatory under the Act before initiating proceedings under 6-A. On the other hand, though the allegation of the respondents is that initially 1500 bags of suspected PDS rice were found in a private godown at Adoni, but however, on 14.06.2025, the Deputy Tahsildar, Adoni, along with other Revenue Staff, when opened the godown have found only 109 bags (22.50 quintals) of PDS rice and accordingly three notices were issued	

	on 05.07.2025, 11.07.2025 and 06.08.2025 without even mentioning the provision under which the notices were issued. However, despite the seizure being limited to 109 bags of PDS rice, the impugned proceedings were passed by the 2nd respondent confiscating the entire stock in favour of the Government and also imposing a penalty of Rs. 35,53,500/- without there being any basis for imposing such penalty. Nothing has been mentioned in the impugned order as to how the 2nd respondent arrived at the conclusion that the petitioner is liable for a penalty of Rs. 35,53,500/-. When the seizure is only of 109 bags of PDS rice. It is further observed that in the 6-A report submitted by the Tahsildar to the 2nd respondent, the name of the respondent is shown as "nil". Even as per the 6-A proceedings, it is stated that on 13.06.2025, the respondent officials received information from one Sri T. Mahesh Naidu, Director, Andhra Pradesh State Civil Supplies Corporation,	
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		regarding suspected illegal storage of PDS rice in a private godown at Adoni. However, nowhere the name of the godown or the owner of the godown has been mentioned. In view of the same, there shall be an interim suspension of the impugned proceedings <i>vide</i> orders Rs.CS1/EC-69/2025 dated 14.08.2025 for a period of six (06) weeks. List the matter after six (06) weeks. In the meanwhile, learned Assistant Government Pleader for Civil Supplies, shall file a detailed counter. VS, J <i>LSP/JAK</i>	
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