

How stockpiling affects the middle class

CONTINUED FROM PAGE 10

Both the 1956 Act and 1957 Act more or less provide for similar provisions that exist in the 1953 Act. The Food (Special Courts) Act, 1956 empowered Special Magistrates to try and punish offences under the laws of 1956 and 1957.

Anyone proven guilty of such offence will be punished with imprisonment for a maximum term of three years, or Tk 5,000 fine, or both.

The law also clarifies that a person will be deemed to have engaged prejudicially to the already mentioned activities, if he/she, among others,

can also be arrested without warrant if a reasonable suspicion exists (against him/her) of his/her possible connection to an offence punishable under this law.

Apart from these laws, Section 25 of the Special Powers Act, 1974 penalises hoarding or dealing in the black market with death, or with imprisonment for

of hoarding or dealing in the black market has been committed.

Last year, the cabinet approved the draft of "Production, Storage, Transfer, Transport, Supply, Distribution and Marketing (Prevention of Harmful Activities) of Food Products Act, 2022" with a provision of a maximum

discussed above. As per the proposed law, the forfeited foods will be put on auction immediately if they are perishable and by 45 days if they are non-perishable items. According to the new law, a storage related offence involves the storing of foods for an unauthorised period and creating a food shortage in the market.

The above discussion reveals that not a single law specifically deals with stockpiling. Rather, it has been dealt with in different laws in isolation but



The law also clarifies that a person will be deemed to have engaged prejudicially to the already mentioned activities, if he/she, among others, causes, or does any act or thing calculated to cause fear or alarm among the public as to the availability of foodgrains. That is why the government can restrict the movement of certain persons with a view to preventing him/her from engaging in prejudicial activities. Even in necessary cases, it may order to detain a responsible person for a period not more than three months.

In recent years however, Executive Magistrates under the Mobile Court Act, 2009, summarily have been conducting trial of such offences.

Enacted in 1979, the Foodgrains Supply (Prevention of Prejudicial Activity) Ordinance makes it an offence to engage in any activity prejudicial to the storage, movement, transshipment, supply and distribution of foodgrains.

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life, or with rigorous imprisonment for a maximum term of 14 years, and fine. However, if it can be proved that the person accused of such offence was hoarding for ordinary purposes other than gaining something financially or otherwise, he/she will be punished with imprisonment for a maximum term of three months, and fine. The court can also order for the forfeiture of property related to which the offence

of five years' imprisonment and a Tk 10,00,000 fine as punishment for illegal production, storage, transfer, transportation, supply, distribution, and marketing of food products.

The proposed law also provided that Bangladesh Food Safety Authority and Executive Magistrates will conduct courts to counter the violation of law. The law will come into force repealing the previous 1956 and 1979 laws

only in the context of overall foodstuff management. There is even no clear definition of illegal stockpiling; rather legal provisions narrate different scenarios to characterise this phenomenon. Probably, such a legal position could be one of the reasons for the weaker governance of illegal stockpiling in Bangladesh.

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Photo: Sazzad Ibne Sayed

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আমরা আপনার পরিবারেরই একজন

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