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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed  
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 31st December, 1976/PAUSA 10, 1898 (Saka)

THE FOOD CORPORATIONS (AMENDMENT)  
ORDINANCE, 1976

No. 16 OF 1976

Promulgated by the President in the Twenty-seventh Year of the  
Republic of India.

An Ordinance further to amend the Food Corporations Act, 1964.

WHEREAS both Houses of Parliament are not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Food Corporations (Amendment) Ordinance, 1976.

(2) It shall come into force at once

2. During the period of operation of this Ordinance, the Food Corporations Act, 1964, shall have effect subject to the amendments specified in section 3.

3. In section 12A of the Food Corporations Act, 1964—

(i) in sub-section (3), for the words, brackets and figures "subject to the provisions of sub-sections (4), (5) and (6)", the words, brackets, figures and letters "subject to the provisions of sub-sections (4), (4A), (4B), (4C), (5) and (6)" shall be substituted;

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section  
12A.

(ii) after sub-section (4), the following sub-sections shall be inserted, namely:—

“(4A) Notwithstanding anything contained in sub-section (4),—

(a) every officer or other employee in respect of whom an order of transfer under sub-section (1) had been made before the date of commencement of the Food Corporations (Amendment) Ordinance, 1976 (hereafter in this section referred to as the appointed day) shall, whether or not he had exercised the option under sub-section (4) before the appointed day, exercise such option within six months from the appointed day; and

(b) every officer or other employee in respect of whom an order of transfer under sub-section (1) may be made after the appointed day shall, within six months from the date of such order, exercise his option under sub-section (4),

and in each such case such option once exercised shall be final:

Provided that where an officer or other employee having exercised an option under sub-section (4) before the appointed day—

(i) has died or retired before the appointed day, or dies or retires after the appointed day before exercising the option as required by this sub-section, or

(ii) does not exercise the option as required by this sub-section,

the option already exercised by him shall be deemed to have been validly exercised by him under sub-section (4).

(4B) Where an officer or other employee—

(a) has died or retired, or dies or retires, after an order of transfer under sub-section (1) in respect of such officer or other employee is made but before exercising the option under sub-section (4) or, as the case may be, as required by sub-section (4A); or

(b) has died or retired, or dies or retires, before an order of transfer under sub-section (1) in respect of such officer or other employee is made,

he shall, notwithstanding anything contained in sub-section (4) or sub-section (4A),—

(i) in a case falling under clause (a), be deemed to have exercised an option under sub-section (4); and

(ii) in a case falling under clause (b), be deemed to have been transferred under sub-section (1) and exercised an option under sub-section (4),

to be governed by the leave, provident fund, retirement or other terminal benefits admissible to the employees of the Central Government in accordance with the rules and orders of the Central Government as amended from time to time:

Provided that nothing in clause (a) of this sub-section shall apply to an officer or other employee who has, before the appointed day, been paid the terminal benefits as admissible to the employees of Corporation under the regulations made by the Corporation under this Act, unless such officer or other employee refunds in a lump sum within six months from the appointed day the amount of contributions made by the Corporation towards such terminal benefits:

Provided further that nothing in clause (b) of this sub-section shall apply to an officer or other employee who has intimated, under the proviso to sub-section (1), his intention of not becoming an employee of the Corporation.

(4C) Where an officer or other employee has exercised an option under sub-section (4), or exercises, or is deemed to have exercised, an option under that sub-section, read with sub-section (4A) or sub-section (4B), to be governed by the leave, provident fund, retirement or other terminal benefits admissible to employees of the Central Government, such benefits shall be calculated on the basis of the pay and allowances drawn by him in the Corporation."

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

#### CORRIGENDA

In the East Punjab Urban Rent Restriction (Chandigarh Amendment) Ordinance, 1976 (Ord. 14 of 1976), as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 17th December, 1976, at page 1478,—

(1) in line 12, for "schedule building", read "scheduled building";

(2) in line 23, for "other than tenant", read "other than the tenant".

