



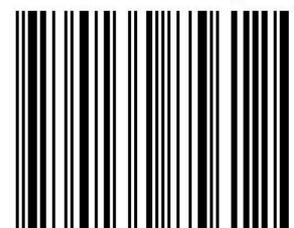
Law Relating To Prevention of Black Marketing: International And National Scenario With Reference To India

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ABSTRACT

Black-marketing emerges after World War II and has kept on increasing day by day. That time it emerged due to scarcity of essential goods. But now it has become an evil to fulfil the illegal greed of money. The greed of earning more and more profits has given a remarkable growth to black-marketing that besides essential commodities or services, black-marketing has touched the ground of terrorism, medical field etc. at international level. These are mostly associated with middle and upper class of society and have added new chapter to criminal jurisprudence.

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However a critical analysis of the said laws shows that various legal issues arising due to activities of prevention of Black-Marketing and maintenance of supply of essential commodities, in economy remain untouched by these Laws and attract attention of international community. This paper is a humble attempt to make in depth study of international and Indian law relating to prevention of black-marketing and maintenance of supply of essential commodities and various legal issues which needs immediate attention.

METHODOLOGY

It is theoretical study based on international and national instruments, reports, articles, and internet.

1. INTRODUCTION

Black-Marketing is an economic activity that takes place outside government sanctioned channels. Black market transactions usually occur “under the table” to let participants avoid government price controls or taxes. Black marketing in India has assumed an alarming significance in recent past. It spreads its harsh, destructive, unscrupulous arms to all fields covering the barest necessity of life. Essential commodities are termed by different Acts and Statutes are all within its purview. Despite strict measures by government, the grip over the black market violation is very loose.

The Law Commission Report States: “The term black-marketing is obscure and emphasises that definition of expression should not include suppression of facts relating to the acquisition or disposal of things controlled by different special laws”

Definition of ‘Black-Marketing’ by Law Commission also covers the following fields:

- Regulated production
- Manufacture
- Supply
- Distribution
- Storage in excess of permissible quantity,
- Acquisition or movements, etc. of essential commodities

2. LAWS TO PREVENT BLACK-MARKETING: INTERNATIONAL SCENARIO

After World War II, there was lacuna in law to deal with the problem of Black-Marketing. The post war reconstruction programmes evidenced greater economic activity and consequently greater need was felt for further regulation. In United Kingdom the special legislation to check these socio-economic crimes were as follows:

- The Borrowing (Control and Guarantees) Act, 1946