

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRL.R.C.No.36 of 2017

ORDER:

Heard both sides and perused the impugned order of the Collector in Case No.140/ 11-97 dated 20.08.2014 u/ Sec.6(A) of the Act, for 100% confiscation from the variations in the seized stock and the same confirmed by the learned Sessions Judge in CrI.A.No.488 of 2014 which is the subject matter of the revision, leave about the penalty of Rs.10,000/- imposed on the 5th respondent for involving in illicit transport of the PDS stock of rice in black market.

On perusal of the impugned order confirming the order of the Collector supra, it shows there are variations in the stock finding that there is a clandestine dealing and at the varandah of the adjacent house belongs to Shaik Kareemullah, there was found 9 quintals of PDS rice for which the revision petitioner replied that as has no place in his fair price shop, kept the stock there and further found that the revision petitioner transported 118 bags of PDS rice diverting into black market and also found 180 empty bags with FCI marks in his shop which cannot be available there but for the clandestine dealing in its seizure also.

Having regard to the above, so far as said findings of the learned Sessions Judge concerned, for this Court while sitting in revision, there is nothing to interfere but for to modify the 100% to 50% confiscation following the expression of this Court in *Kyasa Narayana Vs. State of Andhra Pradesh*¹.

Dt.20.01.2017
vvr

Dr. B. SIVA SANKARA RAO J,

¹ (2013) 3 ALT CrI.170