

The Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1973

MAHARASHTRA

India

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Act 2 of 1974

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The Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1973 Maharashtra Act No. 2 of 1974 [Dated 14th January, 1974] For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1973, Part V, p. 240. An Act further to amend the Cotton Ginning and Pressing Factories Act, 1925, in its application to the State of Maharashtra. Whereas it is expedient further to amend the Cotton Ginning and Pressing Factories Act, 1925, in its application to the State of Maharashtra, for the purposes hereinafter appearing; It is hereby enacted in the Twenty-fourth Year of the Republic of India as follows :-

1. Short title and commencement.

(1) This Act may be called the Cotton Ginning and Pressing Factories (Maharashtra Amendment) Act, 1973. (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 5B of Act XII of 1925.

- For section 5B of the Cotton Ginning and Pressing Factories Act, 1925, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), the following shall be substituted, namely :- "5B. Power to regulate rates for ginning and pressing cotton. - (1) If the State Government is of the opinion that it is necessary so to do, for the purpose of securing the ginning or pressing of cotton in the State at reasonable rates of charge, the State Government may, by an order published in the Official Gazette, direct that no owner or person in charge of any cotton ginning factory or cotton pressing factory in the State shall, - (i) charge or cause to be charged, for the ginning or pressing (or both) of cotton, rates in excess of such maxima as may be fixed by the Rates Fixing Committee under sub-section (5); or (ii) without reasonable excuse refuse to accept or cause to be so

refused, cotton tendered for ginning or pressing if the tenderer is prepared to pay charges at rates lawfully leviable; or(iii)impose as a condition precedent to the acceptance of cotton for ginning or pressing tendered by any person for the purpose, surrender of cotton seed or lint in whole or in part in lieu of the charges lawfully leviable.(2)There shall be appointed a Rates Fixing Committee for the State which shall consist of,-(a)the Director of Marketing, Maharashtra State;(b)the Industries Commissioner or his representative not below the rank of the Joint Director of Industries;(c)the Joint Director of Agriculture dealing with cotton;(d)four representatives of the growers of cotton to be appointed by the State Government;(e)four representatives of the owners of cotton ginning or cotton pressing factories to be appointed by the State Government;(f)the Managing Director of the Maharashtra State Cooperative Marketing Federation, Limited or his representative;(g)one person (not being a Government servant) who possesses special knowledge of, or experience in the ginning and pressing of cotton or of the cotton trade to be appointed by the State Government.(3)The Director of Marketing shall be the Chairman of the Committee.(4)The term of office of the non-official members of the Committee, the manner in which the members may resign and casual vacancies filled up, and the procedure regarding the work of the Committee shall be such as may be prescribed.(5)The Committee shall fix the maximum rates for ginning or pressing cotton having regard to such matters as may be prescribed, and different rates may be fixed for different areas of the State.(6)If any person gins or presses cotton at a rate exceeding the rate fixed by the Committee under the provisions of this section or contravenes the provisions of any order made under sub-section (1) he shall, on conviction, be punished with fine which may extend to five hundred rupees."

3. Amendment of section 13 of Act XII of 1925.

- In section 13 of the principal Act, in sub-section (1) in clause (c), sub-clauses (i) and (ii) shall be deleted.