

The Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971

MAHARASHTRA

India

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Act 47 of 1971

- Published on 4 December 1971
- Commenced on 4 December 1971
- [This is the version of this document from 4 December 1971.]
- [Note: The original publication document is not available and this content could not be verified.]

The Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 Maharashtra Act No. 47 of 1971 For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1971, Part V, Extra, pages 238-240. [This Act received the assent of the President on the 4th December 1971; the assent was first published in the Maharashtra Government Gazette, Part IV, on the 13th December, 1971]. An Act to provide for the carrying on for a certain time of trade in raw cotton by the State in Maharashtra. Whereas, ginned and pressed cotton has been commanding a high level of prices at the terminal markets in recent years, nevertheless it has been brought to the notice of the Government of Maharashtra that because of too many intermediaries and also defect in the marketing system growers of cotton in the State do not get a fair share of the price for their crop; And Whereas, it is also necessary to supply unadulterated cotton to consumers at a reasonable price, and to guarantee the purity of cotton and honest trade practices at processing centres; And Whereas, the Government of Maharashtra has decided that all trade in raw cotton should be carried on by the State for a certain time: and for that purpose to take over [for acquiring cotton from the growers and other persons having stocks thereof, getting it ginned or pressed into bales, selling it in any form to consumers] [This portion was substituted for the portion beginning with 'for acquiring kapas' and ending with 'to consumers' by Maharashtra 48 of 1974, Section 2.] and others on behalf of the tenderers and paying compensation to the tenderers; and provide for matters relating to the purposes aforesaid; it is hereby enacted in the Twenty-second Year of the Republic of India as follows:-

Chapter I

Preliminary

1. Short title, extent, commencement and duration.

(1) This Act may be called the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971. (2) It extends to the whole of the State of Maharashtra. (3) Chapters I and II shall come into force at once and the remaining provisions of this Act shall come into force on such [date] [1st August 1972 vide G.N.A. and C.D. No. KPS. 1072/4552-V6, dated 1st August, 1972.] as the State Government may, by notification in the Official Gazette, appoint. (4) This Act shall remain in force upto and inclusive of the 30th June [2001] [These figures were substituted for the figures '2000' by Maharashtra 7 of 2001, Section 2, (w.e.f. 30.6.2000).], and shall then expire: and section 7 of the Bombay General Clauses Act, 1904 shall apply upon the expiry of this Act, as if it had then been repealed by the Maharashtra Act.

2. Definition.

- In this Act, unless the context otherwise requires, - (a) "advance price" means the price payable or paid as such to a grower of cotton or a holder of stocks of cotton at the time of tendering [cotton] [This word was substituted for the word, 'kapas' by Maharashtra 48 of 1974, Section 3(a).] at a collection centre under section 20 or 21; (b) "bale" means any pressed package of cotton of whatever size or density; (c) "Board" or "Advisory Board" means the Board established under section 3; (d) ["additional price"] [These words substituted for the word 'bonus' by Maharashtra 59 of 1981, Section 3(a).] in respect of any grower or other person tendering cotton at a collection centre, means if the final price fixed for any cotton season exceeds the guaranteed price, the proportionate amount payable to him as [additional price] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Section 3(b).] under sections 30 and 32, on the quantity of [cotton] [This word was substituted for the word, 'kapas' by Maharashtra 48 of 1974, Section 3(a).] acquired from him; (e) "collection centre" means the place designated by the Market Committee [or direct to be so designated by the Director of Marketing under section 21A, for tendering cotton] [This portion was substituted for the words 'for rendering kapas' by Maharashtra 48 of 1974, Section 3(c).], by any grower or any other person holding stocks thereof; (f) "controlled area" means an area specified in a notification under section 3 of the Bombay Cotton Control Act, 1942; (g) "cotton" means raw cotton whether ginned or unginned; (h) "cotton ginning factory" has the meaning assigned to it in the Cotton Ginning and Pressing Factories Act, 1925; (i) "cotton pressing factory" has the meaning assigned to it in the Cotton Ginning and Pressing Factories Act, 1925; (j) "cotton season" means the period from the 1st day of July of any year to the 30th day of June of the next year (both days inclusive); (k) "final price" means the price determined as such [under section 29, in respect of any specified variety of grade of cotton] [This portion was substituted for the portion beginning with 'in the prescribed manner' and ending with 'specified variety of cotton', by Maharashtra 48 of 1974, Section 3(d).], as payable to the cotton growers and other persons tendering [cotton] [This word was substituted for the word, 'kapas' by Maharashtra 48 of 1974, Section 3(a).], at the collection centres under sections 20 and 21; (ka) ["green card" means the card issued in the prescribed form and in the prescribed manner to every grower of cotton (whether he is its member or not), by the Primary Agricultural Credit Society, within whose area of operation he grows cotton;] [Clause (ka) was inserted by Maharashtra 59 of 1981, Section 3(b).] (l) "guaranteed price" means the price determined as such under section 24, in respect of any [specified variety or grade of cotton] [These words were

substituted for the words, 'specified variety of cotton' by Maharashtra 48 of 1974, Section 3(e)(1).] as payable to the cotton growers and other persons tendering [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Section 3(a).], at the collection centres;(m)"kapas" means unginned cotton;(n)"market area" means an area specified in a declaration made under section 4 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963.(o)"market committee" means a committee constituted for a market area under section 11 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963;(p)"marketing society" means a taluka or block co-operative purchase and sale union, or a marketing society of agricultural produce registered or deemed to be registered under the Maharashtra Co-operative Societies Act, 1960 as an agricultural society, and includes a cotton sale society;(q)"member" means a member of the Advisory Board, and includes the Chairman or Vice-Chairman of the Board;(r)"non-official Member" means who is not a Member ex-officio;(s)"prescribed" means prescribed by or under rules made under this Act;(t)"Registrar" means a person appointed to be the Registrar of Co-operative Societies under the Maharashtra Co-operative Societies Act, 1960, and includes any person appointed to assist him and on whom all or any of the powers of the Registrar under that Act are conferred.

Chapter II

Establishment, Proceedings and Duties of State Advisory Board

3. Establishment of State Advisory Board.

- The State Government may, by notification in the Official Gazette, establish for the purposes of this Act a Board by the name of "the Maharashtra State Cotton Control Advisory Board."

4. Composition of the Board.

(1)The Board shall consist of the following members:-(a)the Minister of State for Co-operation, Maharashtra State, ex-officio Chairman;(b)the Secretary to the Government of Maharashtra, Agriculture and Co-operation Department (Co-operation Wing), ex-officio Vice-Chairman;(c)one representative of the Ministry of Agriculture, appointed by the Central Government, ex-officio;(d)the Chairman, Maharashtra State Co-operative Cotton Growers Marketing Federation, ex-officio or his representative; [Clauses (d) and (e) were substituted by Maharashtra 14 of 1988, Section 2.](e)the Managing Director, Maharashtra State Co-operative Cotton Growers Marketing Federation, ex-officio or his representative;](f)the Managing Director, Maharashtra State Co-operative Bank, ex-officio or his representative;(g)the Managing Director, Cotton Corporation of India Ltd., ex-officio or his representative;(h)the Managing Director, Maharashtra State Textile Corporation Ltd., ex-officio or his representative;(i)the Chairman, Maharashtra Rajya Bazar Samiti Sahakari Sangh, ex-officio, or his representative;(j)The Director of Agriculture, ex-officio, or his representative;(k)the Director of Marketing, ex-officio, and until such Director is appointed the joint Registrar of Co-operative Societies (Marketing), ex-officio;(l)three representatives of cotton growers, appointed by the State Government:(m)one representative of textile mills appointed by the State Government;(n)one representative of Co-operative Spinning Mills, appointed by the State

Government;(o)one representative of the Co-operative Ginning and Pressing factories appointed by the State Government;(p)one representative of East India Cotton Association appointed by the State Government;(q)a Deputy Secretary to the Government of Maharashtra in the Agriculture and Co-operation Department, designated by the State Government in this behalf, who shall also be the Secretary to the Board.(2)The names of the non-official Members appointed by the State Government shall be published in the Official Gazette.

5. Headquarters of the Board.

- The headquarters of the Board shall be in Greater Bombay.

6. Term of office and conditions of service of non-official Members.

(1)Every non-official Member shall hold office for a period of three years from the date of his appointment:Provided that, the State Government may extend the said period by a further period not exceeding one year:Provided further that, after the expiry of the period of his appointment, a person shall, unless disqualified or removed, be eligible for reappointment.(2)Every non-official Member shall receive from the State Government such allowances for the purpose of meeting the personal expenditure incurred in attending the meeting of the Board or in performing any other functions as such member, as may be prescribed.

7. Resignation of non-official Members.

- Any non-official Member may at any time resign his office by writing under his hand addressed to the State Government, and upon the acceptance thereof the office of the Member shall become vacant.

8. Temporary absence of Members.

- If any Member is by infirmity or otherwise rendered temporarily incapable of carrying out his duties or is absent on leave or otherwise, not involving the vacation of his appointment, the State Government may appoint another person to officiate for him and carry out his functions under this Act or any rules or regulations, made thereunder.

9. Disqualification of non-official Members.

- A person shall be disqualified for being appointed or continuing as a non-official member, if he
-(a)holds any office or place of profit under the State Government (except when he is appointed under clause (j) of sub-section 4);(b)is of unsound mind, and stands so declared by a competent Court;(c)is an undischarged insolvent; or(d)has been or is convicted of any offence involving moral turpitude.

10. Removal of Members.

- If the State Government is of opinion that, any Member is guilty of misconduct in the discharge of his duties, or is incompetent to perform or has become incapable of performing his duties as a Member or should for any other good and sufficient reason be removed, the State Government may, after giving the Member an opportunity to show cause against his removal, by notification in the Official Gazette, remove him from office.

11. Vacation of membership.

- If a non-official Member, -(a) becomes subject to any of the disqualifications mentioned in section 9, or (b) is absent without the permission of the Board from all meetings of the board for a period of two successive months, he shall cease to be a member.

12. Filling of vacancies.

(1) In the event of a vacancy in the office of any Member the vacancy may be filled by the State Government and the person so appointed shall hold office so long only as the Member in whose place he is appointed would have held office. (2) A vacancy of a Member shall be filled as early as practicable: Provided that, during any such vacancy the continuing Members may act, as if no vacancy had occurred.

13. Meetings of the Board.

(1) The Board shall meet at such times, at least once in a month, and at such places as the Chairman, may determine. (2) The Chairman or in his absence the Vice-Chairman, shall preside at a meeting of the Board. In the absence of both, the meeting shall be presided over by one of the members present as may be chosen by the meeting to be the Chairman for the meeting. (3) One-third of the total number of members of the Board shall be the quorum required to constitute a meeting of the Board. (4) Minutes shall be kept of the names of the Members present and of others who attend the meetings of the Board under the provisions of this Act, and of the proceedings of each meeting in a minute book to be kept for the purpose. The minutes shall be signed at the next ensuing meeting after confirmation at such meeting. (5) Subject as aforesaid, the Board may observe such rules of procedure in regard to the transaction of its business, or the business of any committee appointed by it as may be provided by the regulations made by the Board, with the previous sanction of the State Government.

14. Proceedings presumed to be good and valid.

- No act or proceeding of the Board or any of its committees shall be invalid by reason only of a vacancy therein, or any defect in the appointment of any person acting as the Chairman or Vice-Chairman or Member, if such act or proceeding is otherwise in accordance with the provisions of this Act.

15. Consultations or association with experts.

(1)The Board may, with the previous sanction of the State Government, associate with itself or consult such persons whose assistance or advice it may require, for the purpose of performing any of its functions under this Act; such persons may be paid such remuneration or fees or allowances as may be sanctioned by the State Government.(2)The person so assisting or advising the Board may take part in the discussions of the Board relevant to the purpose for which he is associated or consulted.

16. Duties of the Board.

- Subject to the control, direction and superintendence of the State Government, it shall be the duty of the Board-(a)to advise the State Government with regard to the policy to be adopted in the matter of cultivation of cotton in the State and grading and marketing of cotton with a view to ensure a fair price to the grower and the giving effect to the other objectives of this Act;(b)to recommend the places at which the collection centres may be located;(c)to advise the State Government in the matter of fixation of final prices of different varieties of cotton;(d)to recommend the number and places of godowns required for storing cotton, and the cotton ginning and pressing factories required for processing cotton and if necessary of requisitioning godowns or factories;(e)to advise the State Government with regard to the policy to be adopted for disposal of cotton-seed and cotton-waste;(f)to advise the State Government on any other matter connected with the administration of this Act in respect of which that Government may consider it necessary to obtain the advice of the Board;(g)to advise the State Government on all other matters to facilitate the proper carrying out of the purposes of this Act.

Chapter III

Prohibitions on Trading in and Transport of [Cotton] [This word was substituted for the words 'KAPAS' by Maharashtra 48 of 1974, Section 4.] and on Cotton Ginning and Pressing Factories

17. Prohibition on carrying on business in [Cotton] [This was substituted for the word 'Kapas' by Maharashtra 48 of 1974, Section 5(b).] (other than baled cotton).

- Save as otherwise provided by or under this Act and except with the previous permission of the State Government, no person, other than the State Government or an officer or agent or such Government, authorised by it in this behalf, shall purchase, sell, or [store for sale cotton (not being baled cotton) or carry on business therein] [This portion was substituted for the words 'store for sale Kapas, or carry on business in Kapas' by Maharashtra 48 of 1974, Section 5(a).].

18. Prohibition on cotton ginning and pressing factories.

(1) No owner or person in charge of a cotton ginning factory shall, except with the previous permission of the State Government, gin or cause to be ginned in his factory any kapas other than kapas to be ginned on Government account. (2) No owner or person in charge of cotton pressing factory shall, except with the previous permission of the State Government, press or cause to be pressed ginned cotton into bales, other than such cotton to be pressed on Government account.

19. Prohibition on transport of [cotton (other than baled cotton)] [This portion was substituted for the words 'kapas' by Maharashtra 48 of 1974, Section 6(b).] outside the State.

- No person other than the State Government or the Head of any Department authorised by the State Government in this behalf, shall, except with the previous permission of the State Government or such Head of the Department [transport or attempt to transport cotton (not being baled cotton)] [This portion was substituted for the words 'transport kapas' by Maharashtra 48 of 1974, Section 6(a).] from any place in the State to any place outside the State. Where the State Government or the Head of the Department refuses the previous permission in any case, the reasons therefor shall be recorded in writing.

Chapter IV

Procurement, Grading and Pooling [Cotton] [This portion was substituted for the words 'kapas' by Mah, 48 of 1974, Section 7.]

20. Every grower of cotton to sell his produce to Government.

- [(1)] [Section 20 was re-numbered as sub-section (1) of that section by Maharashtra 59 of 1981, Section 4(1).] Every grower of cotton shall, after the picking operations are over, sell all kapas produced by him and which he wishes to dispose of, to the State Government, by tendering it at a collection centre: Provided that, the grower may, where such practice prevails, in the area pay the labourers engaged by him wages in kind, i.e. in kapas and then tender the remaining quantity to the State Government as provided in this section: [Provided further that, where a person is a grower of hybrid, foundation or nucleus cotton seeds and is duly approved by the Department of Agriculture for the cultivation of such seeds, such person shall be permitted to get his kapas ginned subject to such conditions (if any) as may be prescribed but shall then sell his ginned cotton, which he wishes to dispose of, to the State Government by tendering it at a collection centre] [Second proviso was added by Maharashtra 48 of 1974 Section 8.]: [Provided also that, where the grower of cotton is a member of the Growers' Co-operative Spinning Mill, he may tender and sell the cotton produced by him, in part or full, to such Mill. When any cotton sold to the Mill by such member it shall be incumbent on the Mill to make initial payment of the price to the member, which shall not be less than the guaranteed price for the variety or grade of cotton as fixed by the State Government and to make final payment of the price, which shall not be less than the final price for the variety or grade

as fixed by the State Government. The Mill shall tender and sell excess cotton so acquired by it to the State Government at the price paid by it.] [This proviso was added by Maharashtra 59 of 1981, Section 4(1).](2)[(a) Save as otherwise provided in the first proviso to sub-section (1) of the section or in section 21, no person shall be entitled to tender any cotton grown by him at a collection centre, except on a green card issued to him, or to tender any cotton grown by another person on his behalf at a collection centre, except on a green card issued to that person and except on production of a written authority from such person for such tender.(b)The condition subject to which a green card may be issued to, and used by, any person and subject to which it shall be liable to be suspended or cancelled shall be such as may be prescribed.(3)If any officer, not below the rank of Assistant Registrar of Co-operative Societies, is satisfied that any person has tendered or attempted to tender at a collection centre any cotton not grown by him on the green card issued to him, or any cotton on the green card issued to another person, which is grown by the tenderer or by any other person other than the person to whom that card is issued, or any cotton in contravention of sub-section (2), such officer, after holding such inquiry as he deems necessary and after giving a reasonable opportunity to such tenderer to offer his explanation, may, without prejudice to any prosecution or other action which may be taken against such tenderer, by order direct that the whole or any part of the stocks of cotton so tendered or attempted to be tendered and all packages, coverings or receptacles in which such stocks are found or kept and every animal vehicle, vessel or other conveyance used in carrying such stocks, shall be forfeited to the State Government. Where such tenderer has already been paid the price for any such stocks of cotton, such officer may by order direct that the amount paid as price to such tenderer shall be refunded by him at the collection centre, within two days from the date of receipt of such order by him and on his failure to do so shall be recovered from him as an arrear of land revenue.(4)Any tenderer aggrieved by any order made by an officer under sub-section (3) may, within one month from the date of communication to him of such order, appeal to the District Deputy Registrar of Co-operative Societies of the District. Such Deputy Registrar shall, after giving an opportunity to the appellant to be heard, pass such order as he may think fit, confirming, modifying or annulling the order appealed against. The decision of such Deputy Registrar shall be final.] [Sub-sections (2), (3) and (4) were added by Maharashtra 59 of 1981, Section 4(2).]

21. Tendering of kapas by persons other than the grower.

- Any kapas given by the grower to labourers in lieu of wages as provided in [the first proviso] [These words were substituted for the words 'the proviso' by Maharashtra 48 of 1974, Section 9.] to the last preceding section shall not be sold by the labourer to any person other than the State Government. The labourers may tender the kapas so obtained either personally or through an agent authorised by the State Government in this behalf, at a collection centre.

21A. [Duty of every Market Committee to designate and maintain sufficient collection centre at convenient places. [Section 21A was inserted by Maharashtra 19 of 1972, Section 3.]

(1)Notwithstanding anything contained in the Maharashtra Agricultural Produce Marketing

(Regulation) Act, 1963, it shall be the duty of every market committee to designate and maintain one or more convenient places as may be found necessary, for tendering [cotton] by the growers and other persons holding stocks thereof.(2)If after making such inquiry as he deems fit the Director of Marketing is satisfied that any collection centre designated by any market committee is not convenient to the growers and other persons who wish to tender [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Section 10.] or that no collection centre is designated by it or the collection centre designated by it is not sufficient for the needs of the locality he may by order direct the market committee to designate and maintain such place or places as may be specified by him as the collection centre or centres, and the market committee shall comply with such direction.(3)If the Director of Marketing is satisfied on a complaint or otherwise, that any direction issued by him under sub-section (2) is not complied with by the market committee within a reasonable period, he may, after giving a notice of at least 15 days and giving a reasonable opportunity to the market committee of being heard, by order fix a period for compliance with the direction and communicate such order to the market committee.(4)If the direction is not complied with within the period so fixed, the Director of Marketing may appoint some person to comply with the direction and may order that the expense for such compliance with a reasonable remuneration to the person so appointed shall be paid from time to time by the market committee from its Market Fund. Any sums so payable shall be deemed to be sums due to the State Government and shall be recoverable as arrears of land revenue.]

22. Grading and pooling of [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, sections 11(c), 12 and 13.] tendered at collection centres.

- [All cotton tendered at the collection centres as required by section 20] [These words and figures were substituted for the words 'All kapas tendered at the collection centers' by Maharashtra 48 of 1974, Section 11(a).] by the growers or the persons holding stocks or on their behalf by the agents for collection authorised by the State Government shall be graded and marked with the grade designation marks [in accordance with the provisions of the rules made in this behalf] [These words were substituted for the portion beginning with 'in accordance with' and ending with 'of the market committee' by Maharashtra 19 of 1972, Section 4.] and pooled according to the grades;[* * * * *] [This proviso was deleted by Maharashtra 48 of 1974, Section 11(b).]

23. Weighment procedure and grant of receipt to the tenderer.

(1)Weighment of all [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Sections 11(c), 12 and 13.] so tendered at the collection centres shall be done in accordance with the provisions of the Maharashtra Agriculture produce Marketing (Regulation) Act, 1963 and the bye-laws of the market committee made thereunder, and every tenderer shall be granted a receipt for [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Sections 11(c), 12 and 13.] tenderer by him.(2)Such receipts shall specify the collection centres at which and the date on which [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Sections 11(c), 12 and 13.] was tendered, the name of the party tendering,

the quantity of [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Sections 11(c), 12 and 13.] which was tendered, and the grade thereof, and other particulars as may be prescribed.

Chapter V

Mode of Fixing and Payment of Price for [Cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Sections 11(c), 12 and 13.] Tendered at Collection Centres

24. [Establishment of Cotton Co-ordination Committee and fixation of guaranteed price. [Section 24 was substituted for the original by Maharashtra 59 of 1981, Section 5.]

(1)At the commencement of every cotton season the Cotton Co-ordination Committee, as established under sub-section (2), shall recommend to the State Government the guaranteed prices for different varieties or grades of cotton and, where necessary, also of ginned cotton. The State Government shall, in accordance with the recommendation of the Cotton Co-ordination Committee, notify in the Official Gazette and in such other manner as it deems fit, the guaranteed prices for different varieties or grades of cotton and, where necessary, also of ginned cotton.(2)The State Government shall appoint a Cotton Co-ordination Committee. It shall consist of the following :- (a)the Secretary to Government of Maharashtra, Agriculture and Co-operation Department (Co-operation wing); (b)a representative each of the Union Ministry of Agriculture and the Union Ministry of Commerce (Department of Textiles); (c)the Textile Commissioner; (d)the Chairman-cum-Managing Director, Cotton Corporation of India Limited; (e)two representatives of the Government of Maharashtra; (f)a representative of the Maharashtra State Co-operative Marketing Federation or such other body as may be appointed by the State Government as its agent to give effect to the provisions of the Act.]

25. [Advance price payable to tenderer. [This section was substituted for the originals by Maharashtra 48 of 1974, Section 15.]

(1)Every tenderer of cotton at a collection centre shall in the first instance be entitled to receive eighty per cent, of the guaranteed price for the quantity of cotton tendered by him [which shall be payable to him] in lump sum or in such instalments, not exceeding two, as the State Government may, from time to time, having regard to the availability of the funds, by general or special order determine. The payment of eighty per cent, of the guaranteed price in this manner shall be the advance price payable to the tenderer.](2)The difference between the guaranteed price and the advance price shall be payable to the tenderer [within a period of three months] [These words were substituted for the word 'immediately' by Maharashtra 8 of 1975, Section 2(b).] after the close of every cotton season]:[Provided that, where the payment of the advance price or any part thereof is deferred for any reason or the difference between the guaranteed price and the advance price is not

paid immediately after the close of any cotton season, there shall be paid to the tenderer by or on behalf of the State Government interest on the amount which remains unpaid, from the date of tender of cotton by him or from the close of the cotton season, as the case may be, till the date of payment of such amount, at such rate not less than ten per cent per annum, as the State Government may, from time to time, by general or special order, specify.] [This proviso was added by Maharashtra 8 of 1975, Section 2(c).]

26. Mode of payment of advance price [and remaining guaranteed price.]
[These words were inserted by Maharashtra 48 of 1974, Section 16(b).]

- [Subject to the provisions of the last preceding section, the advance price] [These words were substituted for the words 'The advance price' by Maharashtra 8 of 1975, Section 3.] [and the difference between the guaranteed price and advance price] [These words were inserted by Maharashtra 48 of 1974, 5.16(a).] shall be paid to the tenderer through the market committee [or through any co-operative society or person authorised by the State Government in this behalf] [These words were inserted by Maharashtra 19 of 1972, Section 5.] after making any deductions as required by the next succeeding section.

27. [Deduction to be made from advanced price [and remaining guaranteed price.] [Section 27 was substituted by Maharashtra 19 of 1972, Section 6.] for dues of co-operative societies and market committee.

- The market committee or the authorised co-operative society or person, as the case may be, may deduct from [the advance price, and the difference, between the guaranteed price and advance price to be paid to a tenderer of cotton any sums due to any co-operative society, or any dues which the market committee is authorised to deduct by or under the Maharashtra Agriculture Produce Marketing (Regulation) Act, 1963, in respect of any notified produce, to such extent and [in such manner, as the State Government may, notwithstanding anything contained in this Act or any other law for the time being in force, by general or special order, direct] [These words were substituted for the words 'the advance price to be paid to a tenderer of kapas' by Maharashtra 48 of 1974, Section 17(a).] and pay the balance to the tenderer: Provided that, the deductions may be made in such instalment as may be deemed fit, keeping in view [any sums due from the tenderer which are recoverable under this Act and the quantity of cotton] [These words were substituted for the words 'the quantity of kapas' by Maharashtra 48 of 1974, Section 17(b).] the person concerned is likely to tender from time to time in future:][Provided further that, where the payment of any sum deducted under this section by or on behalf of the State Government or by or on behalf of any co-operative spinning mill as sum due to a co-operative society is deferred for any reason, there shall be paid to the society by or on behalf of the State Government or, as the case may be, by or on behalf of the co-operative spinning mill, interest on the sum so deducted and payable to the society, from the date on which the sum due becomes payable till the date of payment, at such rate not less than ten per cent per annum as the State Government may, from time to time by general, or special order, specify.] [This proviso was substituted by Maharashtra 59 for 1981, Section 6.]]

28. Cotton pooled [to be ginned or pressed into bales and to be sold] [These words were substituted for the words 'to be ginned and pressed into bales, and bates to be sold' by Maharashtra 48 of 1974, Section 18(d).] or otherwise disposed of by Government at certain price.

(1)The State Government shall cause the [cotton] [This word was substituted for the word 'kapas' by Maharashtra 48 of 1974, Section 18(a)(i).] pooled under section 22 to be [ginned or pressed] [These words were substituted for the words 'ginned and pressed' by Maharashtra 48 of 1974, Section 18(a)(ii).] into bales; and shall, subject to the directions (if any) issued by Textile Commissioner under any law for the time being in force, cause [the bales or ginned cotton to be sold] [These words were substituted for the words 'the bales to be sold' by Maharashtra 48 of 1974, Section 18(a)(111).] or otherwise disposed of in the prescribed manner.(2)Subject to sub-section (1), [the bales or ginned cotton shall be sold] [These words were substituted for the words the bales shall be sold' by Maharashtra 48 of 1974, Section 18(b)(i).] or disposed of -(a)at such procurement prices as may be fixed by the Central Government or by the Textile Commissioner on the advice of the Agricultural Price Commission under any law for the time being in force, for the different varieties of cotton grown in the country;(b)in any other case, [in the prescribed manner.] [These words were substituted for the words 'at the prevailing market price' by Maharashtra 48 of 1974, Section 113(b)(ii).](2A)[The State Government shall further cause the cotton pooled under section 22 to be released for sale at such prices and in quantities as may be specified by the Cotton Co-ordination Committee established under sub-section 2 of section 24.] [Sub-section (2A) was inserted by Maharashtra 59 of 1981, Section 7.](3)[Notwithstanding anything contained in this section it shall be lawful, for the State Government to set aside such quantity of kapas pooled under section 22 as it thinks necessary, having regard to the interests of the growers, for meeting any requirements of students undergoing training at the approved basic training schools in the State, and sell kapas for the purpose at such price as it may fix in that behalf.] [Sub-section (3) was added by Maharashtra 48 of 1974, Section 18(c).]

29. [Fixation of final price. [This section was substituted for the original by Maharashtra 48 of 1974, Section 19.]

(1)Soon after the 30th September succeeding each cotton season, or soon after any other date (which may be earlier or later than the 30th September) specified by the State Government by notification in the Official Gazette, the State Government shall, in consultation with the Advisory Board, fix in the prescribed manner the final price for different varieties or grades of kapas or ginned cotton acquired during the said cotton season, and notify the final price in the Official Gazette and in any other manner as it thinks fit. In fixing the final price, regard shall be had to the price at which bales of cotton, ginned cotton, kapas cotton seed and cotton waste acquired during the cotton season immediately preceding were sold and the stocks on hand on the 30th September or the specified date as the case may be; and all expenditure incurred on the handling and ginning of kapas, the handling and pressing into bales of ginned cotton and the handling of cotton bales, cotton seed and cotton waste shall be taken into consideration:Provided that, for arriving at the final price of each variety or grade of cotton, the closing stocks not disposed of and on hand on the 30th

September or the specified date, as the case may be, shall be valued at the average sale price or the market price whichever is lower, obtained for such variety or grade of cotton sold earlier in the season.(2)Where after the sale of any undisposed stocks, either wholly or partly, the total amount realised for the last preceding cotton season is more than the total amount calculated at the final price fixed as above, the excess amount shall be credited to the Price Fluctuation Fund and where it is less, the deficit amount shall be debited to, and paid from, the said Fund. Where part of the undisposed stock still remains undisposed at the end of the subsequent season, that part of the stock shall be carried forward as the opening stocks and the accounts of the Fund for the previous season shall be finalised and closed.(3)Where as a result of the audit of the accounts, any error is noticed and adjustments are required to be made, and on account of such adjustment any excess or deficit in relation to the total amount calculated as the final price fixed as above is found, the excess amount shall be credited to, and the deficit amount shall be debited to, and paid from, the said Fund.]

30. [Settlement of account after final price is fixed and notified. [Section 30 was substituted for the original by Maharashtra 48 of 1974, Section 20.]

(1)After the final price is fixed and notified by the State Government, if that price is more than the guaranteed price, every person, who or on whose behalf kapas or ginned cotton was tendered at the collection centre, shall be paid [seventy-five per cent of the difference between the final price and the guaranteed price, as the additional price.](2)The balance [of twenty-five per cent] [These words were substituted for the words 'of one-fourth' by Maharashtra 59 of 1981, Section 9(b).] of the difference referred to in sub-section (1) shall be credited to the Price Fluctuation Fund.]

31. Mode of payment of difference.

- The payment of any amount to be made to any person under the last preceding section, shall be made in the same manner and shall be liable to the same deductions (if any) as laid down in sections 26 and 27.

32. Payment of [further additional price.] [These words were substituted for the words 'additional bonus' by Maharashtra 59 of 1981, Section 10(c).]

- If in any cotton season, the amount at the credit of the Price Fluctuation Fund is equal to or more than 30 per cent of the average total sales of cotton during the three preceding seasons, the entire amount realised in excess of the guaranteed price shall be distributed and paid [as further additional price] [These words were substituted for the words 'as bonus' by Maharashtra 59 of 1981, Section 10(a).] to the persons concerned, in the same manner and subject to the deductions (if any) as laid down in sections 26 and 27. [After the expiry of this Act, the balance in the Fund shall be distributed among the tenderers in the prescribed manner.] [These words were added by Maharashtra 59 of 1981, Section 10(b).]

Chapter VI

Price Fluctuation Fund

33. Constitution of Price Fluctuation Fund.

(1)For the purpose of this Act, there shall be established and maintained a Fund called the "Price Fluctuation Fund" (in this Chapter referred to as "the Fund").(2)[The Fund shall be made up of an initial contribution of rupees one crore and of such further contributions to the Fund made by the State Government from time to time, for meeting any liability referred to in sub-section (1) of section 34, only when the balance in the Fund is inadequate for that purpose, and of the amounts credited to the Fund, from time to time, in accordance with sub-section (2) of section 30:Provided that the further contribution by the State Government to the Fund as aforesaid shall be met from the Capital Formation Fund established under section 35A, and the State Government may be required to make additional contribution to the said Fund in consequence thereof, as may be needed for the purpose of that Fund, under appropriation duly made in that behalf.(3)The amount available in the Price Fluctuation Fund may be utilised as margin money or for other purposes of the Capital Formation Fund established under section 35A for the operation of the scheme, carrying interest at the rate of ten per cent. per annum or such other rate as may be fixed, from time to time, by the State Government. The interest shall be debited to the profit and loss account of the scheme and credited to the Price Fluctuation Fund.] [Sub-sections (2) and (3) were substituted for the original sub-section (2) by Maharashtra 59 of 1981, Section 11.]

34. Accounting of difference between the guaranteed price and the final price.

(1)Where for any cotton season, the final price is less than the guaranteed price, the amount of difference shall be paid from and debited to the Fund.(2)Where for any cotton season, the final price is more than the guaranteed price of cotton, subject to the provisions of section 32, [the amount of twenty-five per cent of] [These words were substituted for the words 'the amount of one-fourth of' by Maharashtra 59 of 1981, Section 12(a).] the difference shall be credited to the Fund as provided by [sub-section (1) of section 30.] [These words, brackets and figures were substituted for the words, brackets and figures 'sub- section (2) of section 30' by Maharashtra 59 of 1981, Section 12(b).]

35. Other matters connected with the Fund to be regulated by rules.

- All other matters connected with the Fund, including the manner in which the Fund shall be maintained, operated and expended, shall be regulated by rules made in this behalf.[Chapter VIA [Chapter VIA was inserted by Maharashtra 59 of 1981, Section 13.] Capital Formation Fund

35A. Provision for Capital Formation Fund.

(1) For providing margin money or equity base for generation of additional requirement of funds for the proper and continuous operation of the scheme which are to be borrowed, from time to time, from the credit institutions, a separate account is hereby established to be called the Capital Formation Fund (hereinafter in this Chapter referred to as "the Fund"). (2) The State Government shall, under appropriation duly made in this behalf contribute and pay, from time to time, into the Fund an aggregate sum of not less than Rs. 25 crores, on or before the 31st March 1985, including any contributions already made by it for the purposes of this fund before the commencement of the Maharashtra Raw Cotton (Procurement, Processing and Marketing) (Retrospective Extension of Duration and Amendment) Act, 1981. (3) Notwithstanding anything contained in this Act or any other law for the time being in force, the market committee or the authorised co-operative society or person making deductions under section 27 shall, while making payment to any tenderer, also deduct a sum equal to such per cent (not exceeding three per cent) of the guaranteed price, as the State Government may, from time to time, specify by notification in the Official Gazette, fifty per cent of which as the contribution of the growers to the Fund and the remaining fifty per cent as their contribution for the development of industrial co-operatives based on cotton and shall pay the sum so deducted and collected into the Fund in such manner and within such time as the State Government may, by general or special order, direct. [Explanation. - In this sub-section, the expression "industrial co-operatives based on cotton" would also mean and include, "industrial co-operatives based on cotton stalk, that is, a stem of cotton plant or any other part of a cotton plant."] [Explanation inserted by Maharashtra 11 of 1999, Section 2, (w.e.f. 21.1.1999).] (4) Any agent appointed by the State Government under section 42 shall contribute and pay into the Fund every year a sum of not less than such per cent (not exceeding three per cent) of the agency charges payable to him as the State Government may, by general or special order, direct. (5) The Fund shall be used for the purposes for which it is established including the purpose referred to in the proviso to sub-section (2) of section 33 and operated by such agency as may be authorised by the State Government. (6) Separate accounts shall be maintained of the different sources from which contributions or other income is received and the amount standing to the credit of the Fund at the time of expiration of this Act shall, as far as possible, be distributed in proportion to their contributions amongst the State Government, the tenderers and the agent, in such manner and subject to such deductions (if any) as the State Government may, by general or special order, determine. (7) All other matters connected with the Fund, including the manner in which the Fund shall be maintained, operated and expended or utilised, shall be regulated by rules made in this behalf.]

Chapter VII

Control of Cotton Ginning and Pressing Factories

36. Power to issue directions to cotton ginning and pressing factories.

- The State Government, or any officer authorised by it in this behalf, may issue to any owner or person in charge of a cotton ginning factory or cotton pressing factory such general or special

directions as it or he may think necessary or expedient, for maintaining or increasing the supply of ginned or baled cotton and the owner or such person shall be bound to follow and act upon such directions.

37. Power to appoint authorised controller.

- If the State Government is of opinion that it is necessary so to do for maintaining or increasing the production and supply of ginned or baled cotton, it may, by order, published in the Official Gazette, and in such other manner as it deems fit, authorise any person (hereinafter in this section referred to as "an authorised controller") to exercise, with respect to the whole or any part of any specified undertaking which is a cotton ginning factory or cotton pressing factory, such functions of control as may be provided therein, and so long as such order is in force with respect to such undertaking or part thereof -(a)the authorised controller shall exercise his functions in accordance with any instructions given to him by the State Government, so, however, that he shall not have any power to give any direction inconsistent with the provisions of any enactment or any instrument determining the functions of the persons in charge of the management of the undertaking, except in so far as may be specifically provided by the order; and(b)the undertaking or part shall be carried on in accordance with any directions given by the authorised controller under the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

Chapter VIII

Settlement of Disputes Regarding Baled Cotton Sold by Government

38. [Disputes regarding baled cotton sold by Government to be referred to the East India Cotton Association Ltd. and its decision to be final. [Section 38 was substituted by Maharashtra 19 of 1972, Section 8.]

(1)Notwithstanding anything contained in any law for the time being in force, when ginned cotton pressed into bales is sold by or on behalf of the State Government to any person, and there is a dispute between the seller and the buyer, regarding the quality of the goods sold or regarding the price or delivery of such goods or regarding any other matter connected with the sale, the dispute, unless resolved by settlement between the parties may be referred to the East India Cotton Association Ltd. (hereinafter in this section referred to as "the Association"), by any of the parties to the dispute.(2)Where any such dispute is referred to the Association under the last preceding sub-section, it shall be deemed to be submitted to arbitration of the Association and shall be decided in accordance with the provision of its Bye-laws. The award made or decision given by the authority appointed under the Bye-laws of the Association to decide such dispute shall be communicated to the parties concerned, and they shall have a right of one or more appeals as provided in the Bye-laws of the Association.(3)The fees payable for surveys, arbitrations and appeals and the costs which may be awarded and the period of limitation for referring to arbitration and periods for filing appeals

shall be in accordance with the provisions of the Bye-laws of the Association.(4)Any award made or decision given by the authority appointed to decide the dispute, subject to an appeal or appeals as provided in the Bye-laws of the Association, and where an appeal is filed, the decision of the appellate authority concerned, shall be final and binding on the parties concerned.]

Chapter IX

Disposal of Cotton Seeds

39. Disposal of cotton seeds.

- The graded kapas pooled under section 22 shall be ginned separately, in the same lots into which the kapas has been graded, [* * *] [The words, brackets and figures 'under the supervision of the officer concerned under the Agricultural Produce (Grading and Marketing) Act, 1937,' were deleted by Maharashtra 48 of 1974, Section 21(a).] and setting aside the cotton seed required for issue to the cotton growers for cultivation in the controlled areas, the registered seed growers, the Taluka Seed Multiplication Farms and such other persons as may be prescribed, the remaining cotton seed shall be sold after taking into consideration the advice tendered by the Advisory Board in this behalf, preference being given to the local growers. [The price at which any cotton seed shall be issued or sold under this section shall be such as may be determined by the State Government.] [This portion was added by Maharashtra 48 of 1974, Section 21(b).]

Chapter X

Special Procedure for Recovery of State-Proceeds from Purchases of [Ginned Cotton,] [These words were inserted by Maharashtra 48 of 1974, Section 22.] Cotton Bales and Cotton Seeds

40. Recovery of amount due on account of purchase of [ginned cotton] [These words were inserted by Maharashtra 48 of 1974, Section 23(b).] cotton bales and cotton seeds from Government.

(1)Notwithstanding anything contained in any law for the time being in force, [when ginned cotton, cotton bales] [These words were substitute(for the words 'when ginned cotton pressed into bales' by Maharashtra 48 of 1974, Section 23(a)(i).] or cotton seeds are supplied or sold to any person by or on behalf of the State Government, and there is a default in payment of the amount payable for the purchase of [such cotton, bales or seeds,] [These words were substituted for the words 'such cotton or seed' by Maharashtra 48 of 1974, Section 23(a)(ii).] then on an application by an officer or person authorised by the State Government made in the prescribed manner, the Registrar may, after holding such inquiry as he deems fit, and after giving the party concerned a reasonable opportunity of being heard grant a certificate for the recovery of the whole or any part of the amount stated in

the application to be due as arrears.(2)A certificate by the Registrar under sub-section (1) shall be final and conclusive as to the arrears due. Without prejudice to any other mode of recovery, the arrears stated to be due in such certificate shall be recoverable according to the law and under the rules for the time being in force for the recovery of arrears of land revenue.

41. Execution of certificate of recovery.

- The Registrar may recover any amount due under a certificate granted by him under the last preceding section in the same manner in which he recovers any amount due under a certificate granted by him under sub-section (1) or (2) of section 101 or under sub-section (1) of section 137 of the Maharashtra Co-operative Societies Act, 1960, and for that purpose he shall have all the powers under section 156 and other provisions of that Act and the rules made thereunder, as if the amount due were dues under that Act.

Chapter XI

Miscellaneous

42. Power to delegate and to appoint agents.

(1)The State Government may, by notification in the Official Gazette, direct that any power or duty which by this Act is conferred or imposed upon the State Government (except the power to make rules) shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged also by an Officer or authority subordinate to it.(2)[(a) The State Government may for the purpose of purchasing, selling, storing, processing, marketing and carrying on other business in cotton, on its behalf appoint agents for the whole State or any specified area, and any such agent may be appointed for more than one such area.(b)Any agent so appointed, if specially authorised by the State Government in this behalf, shall be entitled to pledge, mortgage or otherwise dispose of all or any of the stocks of cotton for the time being in his possession as such agent, for the purpose of raising any monies by way of loans or advances required by the agent for carrying on his business in cotton, and any person, in whose favour any such pledge, mortgage, or disposal is effected, shall have, by reason of such pledge, mortgage or disposal, the same rights as he would have had if the agent were the owner of the stocks of cotton so pledged, mortgaged or disposed of, as the case may be.(c)The terms and conditions of appointment of agents shall be such as may be mutually agreed upon between the State Government and the agent concerned.]

43. Offences.

(1)Whoever contravenes the provisions of section 17, 18(1) or (2), 19, [20] [These figure were inserted by Maharashtra 59 of 1981, Section 14.], 21 or 47(1) shall, on conviction be punished with imprisonment for a term which may extend to six months, or with fine, or with both.(1A)[Any Court trying a contravention of the provisions of section 19 may, without prejudice to any other sentence it may pass, direct that the stocks of cotton in respect of which the Court is satisfied that the said provisions have been contravened, and all packages, coverings or receptacles in which such stocks

are found and every animal, vehicle, vessel or other conveyance used in carrying such stocks, shall be fortified to the State Government.] [Sub-section (1A) was inserted by Maharashtra 48 of 1974, Section 24.](2)Whoever contravenes the provisions of section 36 or 37 shall, on conviction, be punished with fine which may extend to five hundred rupees.

44. Cognisance of offence.

(1)No Court shall take cognisance of any offence punishable under this Act except with the previous sanction of the State Government or any officer authorised by it in this behalf.(2)Notwithstanding anything contained in the [Code of Criminal Procedure, 1898] [See now the Code of Criminal Procedure, 1973 (2 of 1974).]-(a)all offences punishable under this Act shall be cognisable and bailable;(b)it shall be lawful for a Presidency Magistrate or Magistrate of the First Class to pass on any person convicted of an offence under sub-section (1) of section 43 a sentence of fine as provided in that sub-section, in excess of his powers under section 32 of the said Code.

45. Protection of action taken in good faith.

- No suit, prosecution or other legal proceedings shall lie against the State Government or any member, market committee officer, agent or authority functioning under this Act for anything which is in good faith done or intended to be done under this Act or any rules or regulations made thereunder.

46. Power to make rules.

(1)The power to make all rules under this Act shall be exercisable by the State Government by notification in the Official Gazette.(2)Without prejudice to any power to make rules contained elsewhere in this Act, the State Government may make rules consistent with this Act generally to carry out the purposes of this Act.(3)All rules made under this Act shall be subject to the condition of previous publication.(4)Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the Official Gazette, the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

47. Declaration of stocks of ginned cotton not pressed into bales, held at the commencement of the Act and their disposal.

(1)If any person holds any stock (exceeding 10 quintals) of ginned cotton not pressed into bales on the date of commencement of this Act, whether on his own account or on behalf of any other person,

he shall, within 15 days from such commencement furnish in writing to the Collector or any other officer or person authorised by the State Government in this behalf, a full and correct statement declaring the stock to such officer, In such declaration, he shall state his full name and address, the total quantity of stock held, the exact location of the godown and place where the stock is kept and if any quantity is held on behalf on any other person the quantity so held and the name and address of the person of whose behalf it is held.(2)If any person, who holds any stock of ginned cotton not pressed into bales at the date of commencement of this Act, wishes to sell the stock or any quantity therefrom to the State Government, he may, after the expiry of 15 days from the date of such commencement, tender it personally or through an agent authorised by the State Government, at a collection centre. Such person shall be entitled to receive such price for the quantity sold as the officer authorised in this behalf may determine, having regard to the guaranteed price for kapas fixed for the current cotton season, the reasonable expenses required for ginning and storing the cotton and the quality of the cotton tendered.

48. Application of other laws not barred.

- The provisions of this Act shall be in addition, and shall not, save as expressly provided hereinbefore, be in derogation of the Essential Commodities Act, 1955 or any other law for the time being in force.

49. [Power to suspend the operation of Provisions of the Act. [This section was added by Maharashtra 5 of 1974. Section 2.]

(1)If the State Government is of opinion that having regard to any of the purposes of this Act, the enforcement of certain provisions thereof is unnecessary or inexpedient for a certain time, the State Government may, by notification in the Official Gazette, suspend for such period or periods as may be necessary or expedient and as may be specified in the notification, the operation of those sections; and thereupon the provisions of those sections shall stand suspended except as respects things done or omitted to be done before the date of publication of the notification.(2)Where the operation of the provisions of any sections is suspended, for any period or periods under sub-section (1), and the State Government thereafter, or at any time before the expiry of the period or periods notified, is of opinion that those provisions (or any of them) are necessary to be revived and enforced again, or it is expedient to revive and enforce them (or any of them) again, the State Government may cancel partially or wholly any such notification of suspension by a like notification; and thereupon those provisions which were suspended and which are revived shall again have full effect from the date of publication of the second notification.(3)The suspension of the operation of any sections under sub-section (1) shall not affect the provisions of those sections which are not suspended; and in respect of kapas already tendered before the periods of suspension (or which may be voluntarily tendered during the periods of suspension) at the collection centres (or any other centres specified by the State Government in that behalf), all the provisions of this Act shall continue to apply or apply thereto as if none of the provisions had been suspended.] [Sub-section (2) was substituted by Maharashtra 19 of 1972, Section 9.]NotificationsG. N., A. & C. D., No. KPS. 1072/4552-C-6, dated 18th August 1972 (M.G., Part IV-B, page 1406) - Whereas, Chapter I and II of the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 (Maharashtra

XLVII of 1971), have come into force on the 13th December 1971 i.e. the day on which the assent of the President to the said Act, was first published in the Maharashtra Government Gazette; Now, therefore, in exercise of the powers conferred by sub-section (3) of section 1 of the said Act, the Government of Maharashtra hereby appoints the 1st day of August 1972 as the date on which the remaining provisions of the said Act shall come into force. G. N., A. & C. D., No. KPS. 1372/133-C-6, dated 17th April, 1972 (M.G., Part IV-B, page 681) - In exercise of the powers conferred by section 3 of the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 (Maharashtra XLVII of 1971). The Government of Maharashtra hereby establishes for the purposes of the said Act a Board by the name of "The Maharashtra State Cotton Control Advisory Board". G. N., A. & C. D., No. KPS. 1375/25284-10/C, dated 23rd December, 1976 (M.G., 1977, Part IV-B, page 5) - In pursuance of sub-section (2) of section 4 of the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 (Maharashtra XLVII of 1971). The Government of Maharashtra hereby in entries (12) to (18) below publishes the names of the non-Official members appointed by it and notifies for general information that the Maharashtra State Cotton Control Advisory Board shall consist of the following ex-officio members, and the non-official members aforesaid, namely:-

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| (1) The Minister of State for Co-operation, Maharashtra. | Ex-officio Chairman under section 4(1)(a). |
| The Secretary to the Government of Maharashtra, | |
| (2) Agriculture and Cooperation Department (Co-operation Wing). | Ex-officio Vice Chairman under section 4(1)(b). |
| (3) The Director, Directorate of Cotton Development Representative of the Ministry of Agriculture. | Ex-officio member appointed by the Central Government under section 4(1)(b). |
| (4) The Chairman, Maharashtra State Co-operative Marketing Federation, or his representative. | Ex-officio member under section 4(1)(d). |
| (5) The Managing Director, Maharashtra State Co-operative Marketing Federation or his representative. | Ex-officio member under section 4(1)(e). |
| (6) The Managing Director, Maharashtra Co-operative Bank, or his representative. | Ex-officio member under section 4(1)(f). |
| (7) The Managing Director, Cotton Corporation of India Limited, or his representative. | Ex-officio member under section 4(1)(g). |
| (8) The Managing Director, Maharashtra State Textile Corporation Limited, or his representative. | Ex-officio member under section 4(1)(h). |
| (9) The Chairman, Maharashtra Rajya Bazar Samiti Sahakari Sangh or his representative. | Ex-officio member under section 4(1)(i). |
| (10) The Director of Agriculture or his representative. | Ex-officio member under section 4(1)(j). |
| (11) The Director of Marketing, Pune | Ex-officio member under section 4(1)(k). |
| (12) [* * *] [Names not printed] representative of cotton Growers. | Non-official member appointed by the State Government |

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| <p>(13) [* * *] [Names not printed.]representative of cotton Growers.</p> | <p>undersection 4(1)(l)
Non-official member appointed by the State Government
undersection 4(1)(l)</p> |
| <p>(14) [* * *] [Names not printed.]representative of cotton Growers.</p> | <p>Non-official member appointed by the State Government
undersection 4(1)(l)</p> |
| <p>(15) [* * *] [Names not printed.]representative of Textile Mills.</p> | <p>Non-official member appointed by the State Government
undersection 4(1)(m)</p> |
| <p>(16) [* * *] [Names not printed.]representative of Co-operative Spinning Mills</p> | <p>Non-official member appointed by the State Government
undersection 4(1)(n)</p> |
| <p>(17) [* * *] [Names not printed.]representative of Co-operative Ginning and PressingFactories.</p> | <p>Non-official member appointed by the State Government
undersection 4(1)(o)</p> |
| <p>(18) [* * *] [Names not printed.]representative of East India Cotton Association.</p> | <p>Non-official member appointed by the State Government
undersection 4(1)(p)</p> |
| <p>(19) The Deputy Secretary to the Government of Maharashtra in theAgriculture and Co-operation Department (Cotton Cell) who shallalso be the Secretary to the Board.</p> | <p>Ex-officiomember Secretary under section 4(1)(q)</p> |