

# **The Rajasthan Cotton Ginning and Pressing Factories (Fixation of Charges and Reservation of Capacity) Order, 1973**

RAJASTHAN

India

## **The Rajasthan Cotton Ginning and Pressing Factories (Fixation of Charges and Reservation of Capacity) Order, 1973**

### **Rule**

### **THE-RAJASTHAN-COTTON-GINNING-AND-PRESSING-FACTORIES-FI of 1973**

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The Rajasthan Cotton Ginning and Pressing Factories (Fixation of Charges and Reservation of Capacity) Order, 1973Published vide Notification No. S.O. 90/F. 1(b)(2) Ind/72, dated 16-10-1973, Published in Rajasthan Gazette Part 4-C(1), Extraordinary, dated 17-10-73Whereas the State Government is of the opinion that it is necessary so to do for securing the equitable distribution and availability of ginned and pressed cotton at fair prices;Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 114 of the Defence of India Rules, 1971, and all other powers enabling it in this behalf, the State Government hereby makes the following Order, namely: -

#### **1.**

(1)This Order may be called the Rajasthan Cotton Ginning and Pressing Factories (Fixation of Charges and Reservation of Capacity) Order, 1973.(2)It extends to the whole of the State.(3)It shall come into force at once.

#### **2.**

In this order, unless the context otherwise requires:-(a)"Bale" means any pressed package of cotton of whatever size or density;(b)"Cotton" means ginned or un-ginned cotton or cotton waste;(c)"Cotton Ginning Factory" means any place where cotton is ginned or where cotton fiber is separated from cotton seed by any process whatever involving the use of steam, water or other

mechanical power of electrical power;(d)"Cotton Pressing Factory" means any factory as defined in the Factories Act, 1948 (Central Act No. 63 of 1948) in which cotton is pressed into bales;(e)"Cotton Waste" means droppings, strippings, fly and other waste products of a cotton mill or of a cotton ginning factory or of a cotton pressing factory but does not include yam waste;(f)"Director" means the Director of Agriculture, Rajasthan and includes the Joint Directors, Agriculture and the Deputy Directors, Agriculture within the area of their respective jurisdiction;(g)"District Magistrate" means the District Magistrate of the District and includes any Sub-Divisional Magistrate, within the area of their jurisdiction;(h)"Inspector" means an Inspector appointed by the Director for carrying out the purposes of this Order;(i)"Government" means the Government of the State of Rajasthan;(j)"Occupier" includes a managing agent or other person authorised to represent the occupier;(k)"Owner" includes a person incharge of a factory;(l)"Schedule" means the schedule appended to this Order.

### 3.

No owner or occupier of any cotton ginning factory or cotton pressing factory shall-(a)charge or cause to be charged, for the ginning or pressing (or both) of cotton, rates in excess of the rates specified in the schedule; or(b)without reasonable excuse, refuse to accept or cause to be refused, cotton tendered by any person for ginning or pressing or both, if the tenderer is prepared to pay charges at rates specified in the schedule.(c)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, specified in the schedule:Provided that where a cotton ginning factory or cotton pressing factory carries on the process of ginning or pressing cotton exclusively for its owner or occupier as part of his normal trade, the District Magistrate may exempt such factory from the operation of clauses (b) and (c) above, subject to such conditions as he may impose:Provided further that the Government may specify different charges for different areas and may also amend the charges or any other item of the schedule, from time to time.

### 4.

(1)The District Magistrate may by an order direct any owner or occupier of any cotton ginning factory or cotton pressing factory to reserve his factory's specified percentage of capacity, which shall not exceed fifty percent of its total capacity, for any specified person or persons.(2)An order under clause (1) shall be made only on the written application of the person or persons, who want such reservation to be made for him or them.(3)Any person aggrieved by an order issued under clause (1) may represent to the authority that passed that order, and that authority after giving him an opportunity of being heard in the matter, may confirm, modify or rescind the order.(4)If the person or persons for whom the reservation is made, falls to offer the required quantity of cotton in time to the owner or person in charge of the cotton ginning factory or cotton pressing factory, who is directed to reserve his factory's capacity for him/ them under sub-clause (1) and due to this failure the capacity of such factory or any part of its remains idle he or they shall be liable to pay such owner or occupier compensation for it, which shall be equivalent to the loss suffered by such owner or occupier directly on account of such failure.

## 5.

The Director or the District Magistrate or any person authorised in writing in this behalf by the Director or the District Magistrate may, with a view to securing compliance with the provisions of this order or to satisfy himself that any such provision has been complied with, require by an order in writing any owner or occupier of a cotton ginning factory or cotton pressing factory to furnish within such period and as such intervals as may be specified in such order, such information, returns or reports and in such forms as may be required.

## 6.

(1)The Director or the District Magistrate or the Inspector may-(a)inspect or cause to be inspected any books or other documents belonging to or under the control of an owner or occupier of a cotton ginning factory or cotton pressing factory;(b)enter, or search or authorise any person or persons to enter or search the premises of any cotton ginning factory or cotton pressing factory; and(c)seize any article or authorise any person to seize any article in respect of which he has reason to believe that a contravention of this order has been, is being or is about to be committed.(2)The provisions of section 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

## 7.

The powers exercisable by the Director and the District Magistrate under this order shall also be exercisable by the Government.[Schedule] [Substituted by Notification dated 25-4-78, published in Rajasthan Gazette 4(Ga) (II), dated 8-6-1978, page 79](See Clause 3)Rates of Charges

Area	Ginning only	Pressing only	Ginning and Pressing
1	2	3	4
Ganganagar District	40.16	20.50	Rs. 60.66 per bale of 170 Kg. of pure Cotton.The rates shown in columns No. 3 & 4 are inclusive of thecost of the material used for packing.