The U.P. Cotton Ginning and Pressing Factories Rules, 1964

UTTAR PRADESH India

The U.P. Cotton Ginning and Pressing Factories Rules, 1964

Rule

THE-U-P-COTTON-GINNING-AND-PRESSING-FACTORIES-RULES-196 of 1964

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The U.P. Cotton Ginning and Pressing Factories Rules, 1964Published vide Notification No. H-6219/12-b-613-50, dated 29th January, 1964, published in U.P. Gazette, Part 1-A, dated 8th February, 1964In exercise of the powers under Section 18 of the U.P. Cotton Ginning and Pressing Factories Act, 1949 (U. P. Act No. IX of 1949), the Governor of Uttar Pradesh is pleased to make the following rules, the same having been previously published with Notification No. H-1086/XII-B-613-50, dated April 4, 1960, as required under sub-section (2) of the said section:

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Cotton Ginning and Pressing Factories Rules, 1964.(2) They shall come into force with effect from the date of their publication in the Gazette.

2.

(i)Allotment of special mark to be used by each pressing factory for the purpose of the marking of bales:(a)The owner or occupier of every cotton pressing factory shall-(i)in the case of factories already in existence but not possessing any special mark-within thirty days of the date of commencement of these rules, and(ii)in the case of factories commencing work after the coming in force of these Rules-within thirty days prior to the commencement of work, apply to the Deputy Director of Agriculture (Cotton), Uttar Pradesh, for the allotment of a mark to be used for making bales of such factory; Provided that the Deputy Director of Agriculture (Cotton), Uttar Pradesh, may, at any time on his own initiative, allot the mark to be used in a factory in respect of which no application has been made; and intimation of this fact shall be given to the owner or occupier of such factory within ten days of the order of allotment.(b)The special mark allotted to each factory

1

shall consist of two letters denoting the State viz. "Uttar Pradesh" together with a number denoting the factory. The number denoting the factory shall follow the letters denoting the State.(ii)Manner in which bales shall be marked. - Each bale of cotton pressed in a cotton pressing factory shall be marked in the following manner:(i)The special mark and the serial number shall be in English figures and letters and shall be decipherable.(ii)The special mark and the serial number shall be punched on one or more of the hoops or stencilled on the hessian on the lashed side of the bale or may be both so punched and stencilled: Provided, however, that, if stencilled, such mark and number shall not be stencilled on an end hessian.IllustrationA bale of cotton pressed at a Factory in Uttar Pradesh in September, 1958, would be marked in the following way:On the hessianU161*58*3456In this illustration, U.P., denotes the State; '161' the number allotted to the factory; '*58*' denotes the cotton year commencing from September 1, 1958 and '3456' the running number of the bale pressed in a factory.

3. Manner in which the returns referred to in Section 11 of the Act shall be published.

- The State Government shall publish weekly statements of compilation referred to in sub-sections (2) and (4) of Section 11 of the Act in the Official Gazette, in the prescribed forms given in the Annexed Schedules 'E' and 'F'.

4. Forms in which registers, records and returns are to be maintained or submitted.

- The following registers shall be maintained by each ginning and pressing factory in the forms contained in the Schedules shown against each:

Serial No.	Name of Register	Schedule containing the forms	
1	2	3	
1.	Ginning Register		Schedule 'A'
2.	Pressing Register		Schedule 'B'
3.	Weekly return of cotton ginned		Schedule 'C'
4.	Weekly return of cotton pressed	•••	Schedule 'D'

5. Cotton admixture.

- An admixture of cotton shall mean such combination of different varieties of cotton in respect of any area as may, from time to time, be notified by the State Government in the Official Gazette.

6. Cotton season.

- The period from-September 1 to August 31, each year, shall constitute the cotton ginning and pressing season for the State of Uttar Pradesh.

7.

Authority by whom, the form in which, the conditions subject to which and the fee on payment of which, a licence may be granted under sub-section (1) of Section 4 of the Act-(1)The Deputy Director of Agriculture (Cotton), Uttar Pradesh, Lucknow, shall grant licences in the forms given in Schedule H or I, as the case may be, for cotton ginning and cotton pressing factories, subject to fulfilment of the conditions and rules given hereunder:(a)An application for the grant of a licence shall be made by the owner of a cotton ginning or pressing factory as the case may be, in the prescribed form in Schedule 'G' which can be obtained from the offices of the District Magistrates or of the Deputy Director of Agriculture (Cotton), Uttar Pradesh, Lucknow, on payment of rupee one for each form.Note. - The cost of the application form for licence for cotton ginning or cotton pressing factories so realised shall be deposited into the treasury and credited to 'XXV-A-Agriculture-Agricultural Receipts-(d) Other

Receipts-Agriculture-Miscellaneous'.(b)Applications shall be made to the Deputy Director of Agriculture (Cotton), Uttar Pradesh, through the District Magistrate.(c)In forwarding the application, the District Magistrate shall ascertain and report (i) whether there is a need of a ginning/ pressing factory in the locality; and (ii) whether the particulars given in the application form are correct.Note. - No new factory will ordinarily be permitted to be established within a radius of 5 miles of a working cotton ginning factory with 16 gins or over.(d)(i)The annual licence fee for a cotton ginning factory shall be as under:

Rs.

- (i) for factories having 4 gins or less 10
- (ii) for factories having 5 to 10 gins 12
- (iii) for factories having more than 10 gins 15
- (ii) The annual licence fee for a cotton pressing factory shall be Rs.10.(iii) The fee prescribed under (i) and (ii) above be deposited in the local treasury and credited to the head

'XXV-A-Agriculture-Agricultural Receipts-(d) Other Receipts-Agriculture-Miscellaneous'.(e)Every application for licence of a cotton ginning/cotton pressing factory shall be supported by a treasury challan showing the payment of the prescribed fee under clause (d).(f)The applicant shall undertake to be a member of the Cotton Development Association or any such institution, if any, when organised under the auspices of the State Government for the improvement of cotton cultivation and quality in the localities where the ginning/pressing factory is situate.(g)The applicant shall undertake to intimate to the Deputy Director of Agriculture (Cotton), Uttar Pradesh whenever so desired by him, the quantities of cotton seeds variety-wise ginned by him.(h)The applicant shall undertake to maintain the purity and quality of the seed and to take due precautions in the ginning operations.(i)The applicant shall also undertake to intimate to the Deputy Director of Agriculture (Cotton), Uttar Pradesh, the percentage of cotton-lint obtained after ginning of different varieties of cotton in the factory.(j)Every application for a licence of cotton ginning or pressing factory other than a cotton ginning or pressing factory to which the provisions of the Factories Act, 1948 (Act LXIII of 1948), do not apply, shall be accompanied by a certificate from the Inspector of Factories within the local limits of whose jurisdiction such factory is situate showing that the provisions of Section 14 of the Act have been complied with.(2)Where the original licence is lost or destroyed a

duplicate thereof may be granted on proof of the loss of original to the satisfaction of the licensing authority, and on the application for the same supported by a treasury challan showing payment of the fee prescribed thereof as hereunder and on fulfilment of the following conditions:(i)An application for the grant of a duplicate licence shall be made to the Deputy Director of Agriculture (Cotton), Uttar Pradesh, by the owner or lessee of the cotton ginning or pressing factory, as the case may be, in the form in Schedule G.(ii)The fee for issue of a duplicate licence which shall be Rs. 5 shall be deposited in the treasury and credited to the head "XXV-A-Agriculture-Agricultural Receipts-(d) Other Receipts-Agriculture-Miscellaneous".

8. Particulars of the register maintained under sub-section (1) of Section 5 of the Act.

- The particulars mentioned in the forms in Schedules A and B shall be entered in the register maintained under sub-section (1) of Section 5 the Act.

9. Proportion of seed which may be contained in the cotton.

- The proportion of seed which may be contained in the cotton shall not exceed 1 per cent.

10. Persons authorised to give a certificate under Section 8 of the Act.

(1)The Economic Botanist (Cotton) to Government, Uttar Pradesh, Bulandshahr, shall be the person authorised to give a certificate regarding the contents of any package or bale of cotton as to the existence therein of any caked material or patches due to watering and also a certificate as to the normal quantity of moisture which a given quantity of cotton should contain and the quantity of moisture which it actually possesses.(2)[The Deputy Director of Agriculture (Cotton), Uttar Pradesh, Regional Deputy Director of Agriculture, District Agricultural Officers, State Agricultural Marketing Officers, Assistant Agricultural Marketing Officers, District Magistrates and Sub-Divisional Magistrates of the districts concerned shall be the persons authorised to seal the stock and to send a representative sample of the bales and packages in respect of which any complaint under Sections 6 and 7 has been received to the authority specified in Rule 10 (1) for examination.] [Substituted by Notification No. 8358/XII(5)-1006-64, dated 5.1.1993.]

11. Procedure for making complaint under sub-section (1) of Section 8 of the Act.

(1)The complaint to the effect that there has been a contravention of the provisions of Sections 6 and 7 made to the authorities specified in Rule 10 (2) shall be accompanied by a treasury receipt of Rs. 10.(2)On receipt of the complaint or on their own motion, the officers given in Rule 10 (2) shall get the stock, in respect of which complaint under Sections 6 and 7 has been received, sealed. Before sealing the stock representative sample shall be collected and sent to the authority specified in Rule 10 (1). The representative sample shall weigh 20 lb and shall be taken out of at least 20 bales of packages, provided that the number of bales or packages sealed exceeds this number. If the number

of bales or packages is twenty or less, representative sample shall be taken from all of them. The sample so collected shall bear the seal of the officer collecting the sample, the owner and the complainant if the latter too so desires.

12. Manner of sealing articles seized under Section 9.

- Every article seized and required to be scaled under the Act, shall be sealed with the official seal of the officer sealing the same and, if the owner or the person incharge of the factory so desires, also with the seal, if any, which he may provide for this purpose.

13. Appointment to the authority to whom and the time within which the registers and returns required by Sections 5 and 11 of the Act shall be submitted.

(1)The Deputy Director of Agriculture (Cotton), Uttar Pradesh, shall be the authority to whom returns under Section 11 of the Act shall be submitted.(2)The owner or occupier of a factory shall dispatch to the office of the Director of Agriculture, Uttar Pradesh-(a)the weekly returns in the form prescribed in Schedule 'C' so as to reach his office not later than Monday following;(b)the weekly return for the week ending Friday and showing the total number of bales of cotton in the form prescribed in Schedule 'D' so as to reach his office not later than Monday following;(c)the last date of working in the season of cotton ginning or pressing factory shall be stated in the last return.

14. Appointment of authorities for the purposes of Sections 12, 13 and 14 of the Act.

- The Collector of the district in which the factory is situate shall be the prescribed authority for the purposes of Sections 12, 13, 14 (4) and 14 (5), the Chief Inspector of Factories shall be the prescribed authority for the purposes of Section 14 (1), (2) and (3) of the Act.

15. [State Government's power to enter and inspect. [Substituted by Notification No. 8358/XII(5)-1006-64, dated January 5, 1973.]

- The Deputy Director of Agriculture (Cotton), Uttar Pradesh, Economic Botanist (Cotton), Regional Deputy Director of Agriculture, State Agricultural Marketing Officers, Assistant Agricultural Marketing Officers, District Magistrates and Sub-Divisional Magistrates shall be persons authorised to enter into and inspect at all reasonable times any Cotton Ginning or Cotton Pressing Factory for the purposes of exercising the power and carrying out the duties under Section 9 of the Act.]

16. Paving or flooring of factory.

(1) The owner of every cotton pressing factory in which cotton is handled on the ground floor shall cause the press-house to be paved, or otherwise provided with suitable flooring to the satisfaction of

the Chief Inspector of Factories or an Inspector acting under his orders within a period of two months from the date on which these rules come into force.(2)A register of all Pressing Factories shall be maintained by the Chief Inspector of Factories in Schedule 'J' and the Press Mark allotted to each factory, under the Act and the Rules made thereunder, shall be recorded therein.

17. Miscellaneous.

Form of Ginning Register

(1)Weights and Measures:(a)No scale shall be used in any cotton ginning or pressing factory in Uttar Pradesh until it has been examined and certified as correct annually by the Chief Inspector of Factories, Uttar Pradesh, or by an Inspector of Factories acting under his orders.(b)Scales certified as correct shall be stamped at the time of inspection in such manner as may be prescribed by the Chief Inspector of Factories, Uttar Pradesh.(c)Only standard weights shall be used for the weighment of Kapas, ginned cotton or pressed cotton.Note. - For this purpose, a maund will be equivalent to 37.324 Kilograms and a bale equivalent to 180 Kilograms.(d)The weight of ginned or pressed cotton shall be converted into, and expressed in lb. avoirdupois in all returns required under the Act.(2)Exhibition of Press Marks:Every pressing factory shall exhibit in a conspicuous place a notice showing the press mark allotted to the factory.

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· · · · · · · · · · · · · · · · · · ·
I. Licence No.
2. Ginning Factory No.
3. Season
1. Name of factory
5. Name of owner or occupier with his postal address
6. Name of registered lessee (if any) with his postal address

7. Postal address of factory

Date, year, month, days	ginne	of of to be d with mplete	Name of variety of cotton to be ginned	whee	om	Whether grounder irrigat unirrigated co yield per hec	ed or onditi	Approximate quantity of see ons kept for sowing	IKanacı	ton
1	2		3	4		5		6	7	
			1.	Improv Desi wi names o varietie	th of					
			2.	Americ cotton v names o varietie	with of					
			3.	Desi lo	cal					
			4.	Any oth variety	ner					
Quantity weight) of ginned co and seed (a) Lint	of otton	seed ale	uantity of co ong with the stal address it is handed	ename to	perso	ture of the n to whom otton seedis	or pe	ature of owner erson incharge efactory	Remarks (if any).	
8		9	u		10		11		12	13
3		I			10		**			10

'B'

Form of Press Register

 Name of Factor 	y
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2. Licence No.

3. Special mark 4. Season 5. Name of owner 6. Name of registered lessee (if any) 7. Postal address of factory Name and postal Name of relevant Waste Average address of No. of Serial varieties (including cotton with net weight Date persons for bales Number of wastecotton with per bale in number of whomcotton is number of bales of pressed bales bales kilograms pressed each variety) In running balesIn Year Month bales of 180 kgms. Date Days each 6 1 2 3 4 5 7 Total No. of bales pressed Signature of the since the owner of the Remarks commencement of the Factory or season, i.e., September 1 of personauthorised each year by him American cotton Improved Desi with names Any other with name of Desi local Cotton waste

variety

In running

180 kgms.

each

11

balesBales of

In running

180 kgms.

each

12

balesBales of

In running

180 kgms.

each

10

balesBales of

Indian Kanoon - http://indiankanoon.org/doc/115695930/

varieties

In running

kgms. each

9

balesBales of 180

of varieties

180 kgms. each

8

In running balesBales of

13 14

'C'

(Return No. of the season		Detrom of Cotton sings of for
the week ending on	[Return unde	Return of Cotton ginned for er Section 11 (1) of U.P. Cotton Ginning the U.P. Cotton Ginning and Pressing
1. Name of Ginning	Factory	
2. Licence No	Factory No	
3. Name of owner or	r occupier	
4. Name of registere	ed lessee (if any)	
5. Postal address of	factory	
Variety(Trade Description)	Quantity (by weight) ofKapasginned andlint (ginned cotton) produced during the week (Bojasof180 Kilograms)	Quantity (by weight) of Kapasginned and lint (ginned cotton) produced, since the commencement of seasoni.e., September I, 19 (Bojasof 180 Kilograms)
	Kapas ginned, Lint produced	Kapas ginned, Lint produced
1 1. ImprovedDesiwith names of varieties 2. American cotton with names of varieties 3. DesiLocal 4. Any other variety	2	3
•	.Date(Sign	ature of owner or person incharge).
•	for the week ending on and Pressing Factories Act, 1949]	19[Return under Section 11 (3) of

1. Name of pressir	ng factory				
2. Licence No					
3. Special mark					
4. Name of owner					
5. Name of registe	ered lessee (if any)			
6. Postal address	of factory				
Trade description	Number of bales pressed during the week	Average net weight per bale in lb. avoirdupois	Number of bales pressed since the commencement of the season, i.e., 1st September, 19	Remarks	
In running bales	In standard bales of 180 kilograms	In running bales	In standard bales of 180 kilograms		
1	2	3	4	5	6 7
(a) Cotton Lint-					
Name of relevant varieties,i.e					
1. Improveddesiwith names of varieties					
2. American cotton with names of varieties					
3.Desilocal					
4. Any other variety					
Total (b) Cotton Waste					
Total					
Grand Total					
D]	Data			(Signatu	re

kgms. each)[Section 11 (2) of the U.P. Cotton Ginning and Pressing Factories Act, 1949]

	The U.P.	Cotton Ginning and Pro	essing Factories Rules	s, 1964			
Name of the Division or Block	Variety (trade description)	Quantity (by weight) ofKapasginned andlint (ginned cotton) produced					
During the week	During corresponding week last year	Since September 1, 19	During the corresponding period last year				
Kapasginned	Lint produced	Kapasginned	Lint produced	Kapasginned	Lint produced	Kapasginned	L p
1	2	3	4	5	6	7	8
1. Upper Doab (a)	1. ImprovedDesiwith name of varieties						
2. American cotton with names of varieties3.Desilocal							
4. Any other variety							
2. Middle Doab (b)	1. ImprovedDesiwith names of varieties						
2. American cotton with names of varieties							
3.Desilocal							
4. Any other variety							
3. Lower Doab	1.						

and ImprovedDesiwith Bundclkhand. names of varieties

2. American cotton with names of

varieties

- 3.Desilocal
- 4. Any other variety

1.

- 4. Rohilkhand ImprovedDesiwith names of varieties
- 2. American cotton with names of varieties
- 3.Desilocal
- 4. Any other variety

- 5. Rest of the State

 1. ImprovedDesiwith names of varieties
- 2. American cotton with names of varieties
- 3.Desilocal
- 4. Any other variety

1.

Total ImprovedDesiwith names of varieties.

	2. American cotton with names of varieties								
	3.Desilocal								
	4. Any other variety								
	Grand Total of 1 to								
0.1	4								
_	Dat			_		inning re	turn)		
'F'		(State	e authority for Co	ompining (COLLOIT &	illillig re	turir)		
	otton Pressed in Utt nning and Pressing l			ing 1	19[S	Section 11((4) of th	e	
Name of the Division or Block	Variety (trade description)	Number of bales pressed	District included in the Block						
During the week	During corresponding week last year	Since September 1, 19	During the corresponding period last year						
In running bales	In bales of 180 kgms. each	In running bales	In bales of 180 kgms. each	In running bales		In running bales	In bales of 180 kgms. each		
1	2	3	4	5	6	7	8	9 10	O 11
1. Upper Doab (a)	(a) 1. ImprovedDesiwith name of varieties								De Sa Bu Ali
2. American cotton with names ofvarieties 3.Desilocal 4. Any other variety (b) Cotton									

wate.

Dehr Sahar Bular Aliga 2. Middle

Doab (b)

ImprovedDesiwith names of varieties

2. American

cotton with

names

ofvarieties

3.Desilocal

4. Any other

variety

(b) Cotton

waste

3. Lower Doab (a) 1.

and

ImprovedDesiwith

Bundclkhand. names of varieties

2. American

cotton with

names

ofvarieties

- 3.Desilocal
- 4. Any other

variety

(b) Cotton

waste

(a) 1.

4. Rohilkhand ImprovedDesiwith names of varieties

2. American

cotton with

names

ofvarieties

- 3.Desilocal
- 4. Any other variety

(a) 1.

Farru Agra,

Math

Etaw

Kanp Allah Jalau Band

Hard Barei Mora Bijno

Tal, A Ramı Pitho

and U

(b) Cotton waste

Mirza Jaunj Azam Ballia Basti Bahra Sitap Unna Bank Sulat

> Faiza Deori

5. Rest of the State (a) 1. ImprovedDesiwith names of varieties

2. American cotton with names ofvarieties

- 3.Desilocal
- 4. Any other variety
- (b) Cotton waste

(a) 1.

Total

ImprovedDesiwith names of varieties.

2. American cotton

with names ofvarieties 3.Desilocal 4. Any other variety

Grand Total of 1, 2,

3 and 4

Total Cotton Waste

'G'

Application form for issue of the licence under Section 4 of the U.P. Cotton Ginning and Pressing Factories Act, 1949

1. Name of the Factory (in block letters)

2.	Name of the owner or occupier of the Factory (with father'sname) (in block letters)	
3.	Kind of licence:	
	(a) Original/Duplicate Copy	
	(b) For Cotton Ginning Factory or Cotton Pressing Factory	
4.	Whether the certificate as required under Rules $7(1)$ is attached herewith	
5.	Licence no. of the original licence (to be filled in whenapplying for duplicate licence)	
6.	Licence no. and season of licence issued to him previously	
7.	(a) Postal address of the factory	
	(b) Boundary of factory	
		East West North South
8.	Correct postal address of the owner of the factory	
9.	Season for which licence is required	
10.	Ginning Factory No.	
11.	Number of Roller gins	
	Special Mark	
	Amount deposited as fee (in figures and words)	
	Treasury challan No. attached with it	
	Any other particular necessary	
have the of the of Francisco of Francisco of Francisco of Transition of	red the 19Signature of the owner or Registered Lessee (if any) region through the U.P. Cotton Ginning and Pressing Factories Act, 1949 reunder, from time to time, and am bound to obey the same. Dated the 19th he owner or occupier or Registered Lessee (if any). I hereby certify that the Return as prescribed under Sections 5(1)(a) and (b) and 11 (1)(3) of the Act be maintained as required in this Act. Dated the 19Signature ristered Lessee (if any) I undertake-(i) to be a member of the Cotton Development of Cotton cultivation and quality in the locality where the Ging tory is situated; (ii) to intimate to the Deputy Director of Agriculture (Cotton Cotton).	o, and Rules framed oSignature ne Register and form(s) Act are ready and they e of the owner or opment Association or e Government for the ning and Pressing ton), Uttar Pradesh, radesh quantities of
ma (Co diff occ Lice pro Pre	ton seeds variety-wise ginned by him; and(iii) to take due precautions in intain the purity and quality of the seed; (iv) to intimate to the Deputy Dir tton), Uttar Pradesh, the percentage of cotton lint (ginned cotton) obtain erent varieties of cotton in the factory. Date	ector of Agriculture led after ginning of ture of the owner or g for Pressing Factory's equipment for the Cotton Ginning and or the Registered

'H'

Department of Agriculture, U.P.	Department of Agriculture, U.P.
Monogram of	Monogram of
Uttar Pradesh	Uttar Pradesh
Government	Government
Licence for cotton Ginning Factories.	Licence for cotton Ginning Factories.
[Under Section 4 of the U.P. Cotton Ginning and PressingFactories Act, 1949]	[Under Section 4 of the U.P. Cotton Ginning and PressingFactories Act, 1949]
Season	Season
I hereby grant an original/duplicate licence for gins, situated at of which the owner isand registered lessee is	I hereby grant an original/duplicate licence for
This shall remain in force till Boundary:	This shall remain in force till Boundary:
East	East
West	West
North	North
South	South
Lucknow:	Lucknow:
Dated the , 19	Dated the , 19
Deputy Director of Agriculture (Cotton), Uttar Pradesh.	Deputy Director of Agriculture (Cotton), Uttar Pradesh.
NoSpecial Mark.	NoSpecial Mark.
'I'	
Department of Agriculture, U.P.	Department of Agriculture, U.P.
Monogram of	Monogram of
Uttar Pradesh	Uttar Pradesh
Government	Government
Licence for Pressing Factories.	Licence for Pressing Factories.

[Under Section 4 of the U.P. Cotton Ginning	[Under Section 4 of the U.P. Cotton Ginning and
and PressingFactories Act, 1949]	PressingFactories Act, 1949]
Season	Season
I hereby grant an original/duplicate licence for of which the owner isand registered lessee is	I hereby grant an original/duplicate licence for
This shall remain in force till August 31, 19	This shall remain in force till August 31, 19
Boundary:	Boundary:
East	East
West	West
North	North
South	South
Lucknow:	Lucknow:
Dated the , 19	Dated the , 19
Deputy Director of Agriculture (Cotton), Uttar Pradesh.	Deputy Director of Agriculture (Cotton), Uttar Pradesh.
'J'	

Register of Pressing Factories

Name of	Name of	Mark	Place	Name of	Name of owner of lessee,	Remarks
block	district	number		factory	if any	
1	2	3	4	5	6	7