

The Cotton Textiles (Control of Movement) Order, 1948

UNION OF INDIA

India

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Rule

THE-COTTON-TEXTILES-CONTROL-OF-MOVEMENT-ORDER-1948 of 1948

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The Cotton Textiles (Control of Movement) Order, 1948 Published vide Notification Gazette of India, Extraordinary, Section 1 dated 10th September, 1948 (w.e.f. 10th September, 1948). Notification No. 101/19-Tex. 1/43, dated 10th September, 1948. - In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (24 of 1946), the Central Government is pleased to make the following Order, namely -

1.

(i) This Order may be called the Cotton Textiles (Control of Movement) Order, 1948. (ii) It extends to the whole of India. (iii) It shall come into force at once.

1A.

All Notifications, Orders, and general permits issued under this Order which immediately before the 21st October, 1950 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu & Kashmir.

2.

In this Order, unless there is anything repugnant in the subject or context, - (a) "Apparel" includes a garment or other article of personal or domestic use made wholly or principally from cloth other than knitted cloth but does not include old or used garments; (b) "Carrier" includes a railway administration or any other person engaged in the business of transporting property from place to

place by land, air, sea or inland navigation;(c)"Hosiery" means stockings, vests, drawers, or other articles of personal use made from knitted cloth or knitted from yarn;(d)"Cloth" and "yarn" have the same meaning as they have in the Cotton Textiles (Control) Order, 1948;(e)"Textile Commissioner" means the Textile Commissioner, appointed by the Central Government and includes any Additional Textile Commissioner, Joint Textile Commissioner, Industrial Adviser and ex-officio Joint Textile Commissioner or Deputy Textile Commissioner appointed by the Central Government and includes any officer authorised by such Textile Commissioner to exercise all or any of the powers of the Textile Commissioner under this Order.

3.

No person shall transport or cause to be transported by rail, road, air, sea or inland navigation, from any place in India to any other place therein, any cloth, yarn or apparel except under and in accordance with -(i)a general permit notified in the Official Gazette by the Textile Commissioner in relation to transport from a place in any particular State other than the Greater Bombay and the City of Ahmadabad areas, by the Government of that State;(ii)a special transport permit issued by the Textile Commissioner.

4.

The Textile Commissioner may by order in writing direct any carrier to close the booking and transport of cloth, apparel, hosiery or yarn or any class or description thereof by rail, road, air, sea or inland navigation between such places and for such period as may be specified, in the Order, and such carrier shall comply with the order.

5.

The Textile Commissioner may, by notification published in the Gazette of India prohibit the transport of cloth, apparel, hosiery or yarn or any class or description thereof from any place within such area as is specified in the notification to any place outside that area by rail, road, air, sea or inland navigation except under such conditions, limitations and restrictions as may be so specified.

6.

A carrier may require any person offering any package for transport to make a statement in writing declaring its contents and may refuse to accept for transport any package unless such declaration of its contents is made.

7.

The Textile Commissioner may with a view to securing compliance with the provisions of this Order-(a)require any person to give information in his possession with respect to any stock or cloth, yarn, apparel or hosiery in his possession or in the possession of any other person;(b)inspect or

cause to be inspected any book or document belonging to or in the custody of any person;(c)enter and search or authorise any person to enter and search any premises or search or authorise any person to search the luggage of any person travelling in a railway train, vessel or any public conveyance, and seize any cloth, apparel hosiery or yarn, in respect of which he has reasonable cause to suspect that a contravention of this Order has been committed.

8.

The Textile Commissioner may, by notification in the Gazette of India, prescribe the manner in which any application for a special transport permit under this Order shall be made.

9.

Any Court trying a contravention of any of the provisions of this Order may, without prejudice to any other sentence which it may pass, direct that any article or articles in respect of which it is satisfied that the Order has been contravened, shall be forfeited to His Majesty.

10.

(1)The Cotton Textile (Control of Movement) Order, 1946, is hereby repealed:Provided that anything done or deemed to have been don under any provisions of the said Order shall be deemed to have been done under the corresponding provision of this Order and any reference in any instrument to any provision of the said Order or any notifications issued thereunder shall be deemed to be a reference to the corresponding provisions of this Order, or any notification issued thereunder.(2)Any Order corresponding to this Order and in force in any Part .B State is hereby repealed.