

# **The M.P. Cotton Transport Rules, 1967**

MADHYA PRADESH

India

## **The M.P. Cotton Transport Rules, 1967**

### **Rule THE-M-P-COTTON-TRANSPORT-RULES-1967 of 1967**

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The M.P. Cotton Transport Rules, 1967 Published vide Notification No. 5871-2266-14-1, dated 8-9-1967, Published in M.P. Rajpatra Part 4 (Ga), dated 22-9-1967 at page 638 In exercise of the powers conferred by Section 7 of the Cotton Transport Act, 1923 (III of 1923), the State Government hereby makes the following rules, namely-

#### **1. Short title.**

- These rules may be called The Madhya Pradesh Cotton Transport Rules, 1967.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires,-(a)"Act" means the Cotton Transport Act, 1923;(b)"Director" means the Director of Agriculture, M.P.;(c)"Form" means a Form appended to these rules;(d)"Section" means a Section of the Act.

#### **3. Authority which may grant the licence and form of application.**

- Licence for the import of Cotton into the protected areas may be granted by the Director. An application for such licence shall be made in Form A.

#### **4. Prevention of the Import of Cotton.**

- No Cotton, the import of which has been prohibited by or under Section 3, shall be imported into a protected area by rail, road or river save under and in accordance with the conditions of a licence under these rules.

## **5. Licence for import of Cotton for manufacture.**

(1) Annual licence for import by rail, road and river shall be granted to manufacturing concerns situated within the protected areas for the importation of cotton or of any specified kind of cotton from outside such area for manufacture only. Such licence shall be in Form B and shall be subject to the conditions stated herein. (2) A certified copy of such licence shall be tendered in Form G with each consignment at the despatching station and shall accompany the railway invoice to the station of delivery and shall then be forwarded by the railway authority concerned to the railway audit office for return to the Secretary, Indian Central Cotton Committee. (3) The licence shall be returned to the Licensing Authority at the expiration of the period for which it is granted together with all unused certified copies of the same.

## **6. Licence for particular consignment by rail.**

(1) A single licence to cover only one consignment may be granted to such persons as can specify the licensing authority that it is necessary to import cotton or any specified kind of cotton or cotton-waste (that is, cotton seed, kapas, ginned cotton or cotton waste) into the protected area. Such licences shall be in Form D and shall be subject to the conditions stated therein. (2) Such licence shall be surrendered at the station of delivery to the Station Master or other prescribed officer at the time of taking delivery of the cotton covered by the licence who shall forward it to the licensing authority. (3) A certified copy of such licence shall be tendered in Form E with each consignment at the despatching station and shall accompany the railway invoice to the Station of delivery and shall then be forwarded by the railway authority concerned to the railway audit office for return to the Secretary, Indian Central Cotton Committee.

## **7. Licence for particular consignment by road or river.**

(1) A single licence to cover only one consignment may be granted to such persons as can satisfy the licensing authority that it is necessary to import cotton or any specified kind of cotton (that is, cotton seed, kapas, ginned cotton or cotton waste) by road or river into the protected area. Such licence shall be given in Form F and shall be subject to the conditions stated therein. (2) Such licence, shall be delivered at the "Naka" or other place specified by the licensing authority to the officer mentioned in the licence who shall forward it to the licensing authority.

## **8. Separate licences to be issued for different kinds of cotton.**

- Separate licences shall be issued for different kinds of cotton, that is to say, for ginned cotton, cotton seed, unginned cotton (kapas and cotton waste).

## **9. Fee for licences.**

- The fee payable for the annual general licence and the single licence shall be Rs. 50 and Rs. 5 respectively.

## **10. Penalty.**

- Any contravention of these rules or the conditions of any licence, not otherwise punishable under the Act, shall be punishable with fine which may extend to five hundred rupees.

## **11. Repeal and saving.**

- The rules published under the Agriculture Department of the Government of former State of Madhya Pradesh Notification No. 164-59-XIV, dated the 4th February, 1930, and all other rules corresponding thereto in force in any region of the State of Madhya Pradesh immediately before the commencement of these rules are hereby repealed :Provided that anything done or any action taken under any of these rules so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

Form A[See Rule 3]ToThe Director of Agriculture, Madhya Pradesh, Bhopal.Sir,I/we the undersigned hereby beg to apply for a licence under the Cotton Transport Act, 1923 (3 of 1923), available for the period of..... to..... for the importation by rail/road/river of bales (quintals of.....) (State whether ginned cotton, un-ginned cotton, cotton waste (kapas, cotton seed) into the protected area known as..... notified in notification No..... dated..... at station for the purpose of.....

**1. I/we also beg to apply for a certified copy of the licence (as required by the said Act).**

**2. I/we declare that such cotton/kapas/cotton seed/cotton-waste is required for the purpose of only and will not be otherwise used save under the instructions of the licensing authority.**

[Reasons why importation is necessary] [Reasons should be clearly stated as licences are only issued in cases of proved necessity.]:-

## **3. I/we undertake-**

(1)In the event of the cotton/kapas/cotton seed/waste imported under the said licence proving unsuitable for the purpose for which it is imported, to report the matter to the licensing authority and to await his approval to its disposal or otherwise before allowing such cotton/kapas/cotton seed/waste to leave our premises.(2)That under no circumstances I/we will allow cotton/kapas/cotton seed/waste imported under the said licence to be used for mixing with, or adulteration of cotton/kapas/cotton seed/waste produced in the protected area or reexport nor will I/we allow it to be exported under a misdescription.(3)To return the said licence on expiration to the licensing authority together such details as he may require as to the cotton/kapas/ cotton seed/waste.(4)I deposit herewith a sum of Rs..... as licence fee.Dated, the..... 20.....SignedAddressInstructions(a)The Cotton Transport Act, 1923, does not impose any general restriction on cotton transport but only on transport into specified areas (notified by local

Government for protection) from stations outside these areas. Each notification includes a schedule of Railway stations in the protected area to which it refers. Licenses are only required by concerns situated within the limits of protected area. Licences granted under the Cotton Transport Act, 1923 are available for the importation of cotton from anywhere in India but only to the stations specified.(b)Cotton, as defined in the said Act, includes ginned cotton, unginned cotton, cotton waste (kaspas), cotton seed but separate licences are required for each.(c)Station Master, at all stations in India, are empowered by Section 4 of the said Act to refuse to book cotton to a notified station in a protected area unless a certified copy of the licence is handed in when the cotton is tendered for booking. Each consignment requires a separated certified copy which will accompany the railway invoice to destination.(d)Station Masters at notified stations are required by Section 5 of the Act to refuse delivery of cotton from outside the protected areas (which is defined by a list of stations) unless accompanied by a certified copy of the licence (or unless the original licence is produced).(e)Paragraph 2 in the application form corresponds with condition (d) of the licence, the object being to safeguard the protected area against the misuse (which might be quite unintentional) of cotton imported under licence.(f)The protected areas notified in the Madhya Pradesh are those contained in Government Notification No..... dated.....Form B[See sub-rule (1) of Rule 51]Annual General Licence for MillsNo..... 20.....Under the Cotton Transport Act, 1923 (III of 1923), the ..... (Mills) situated in the protected area known as notified by notification..... are hereby granted a general licence under Section 3 of the said Act for the period from September 1st, 20..... to [import] [Here enter ginned cotton, cotton waste or kaspas for which licence is granted.] from..... to..... station for the purpose of manufacture, subject to the following conditions:(a)A certified copy of this licence shall be tendered with the consignment at the despatching station.(b)Cotton imported under this licence shall not be used except for the purposes stated above, save under the Instructions of the licensing authority.(Sd.)Licensing AuthorityDated the.....20.....This certified copy should accompany the invoice to Railway Audit and should be despatched from there to the Secretary, Indian General Cotton Committee.Form C[See sub-rule (2) of Rule 5]Certified copy of General Licence (for Mills) to be tendered at Despatching Stations

Licence No.....20..... Copy No.....

Under the Cotton Transport Act, 1923 (III of 1923), the ..... (Mills) situated in the protected area known as..... notified by notification No..... dated..... are hereby granted a General Licence under Section 3 of the said Act for the period September 1st 20..... to August 31st, 20..... to [import] [Here enter ginned cotton, cotton waste or kaspas or cotton seed for which licence is granted.] from..... to..... station for the purpose of manufacture subject to the following conditions:(a)A certified copy of this licence shall be tendered with the consignment at the despatching Station.(b)Cotton imported under this licence shall not be used except for the purpose stated above, save under the instructions of the licensing authority.(Sd.)Licensing AuthorityName of consignorNumber of balesDescription of CottonDated the.....20.....Signature of the consignorSignature of the Station MasterForm D[See sub-rule (3) of Rule 6]Single Licence (for consignment by rail)Under the Cotton Transport Act, 1923 (III of 1923), Messrs ..... are granted licence to import from ..... to..... Station situated in the protected area known as..... notified by Notification No..... dated..... Bales/quintals of [from] [State whether ginned cotton, cotton waste, kaspas or cotton seed.]..... (Station) for purpose of.....This licence is valid only for one consignment and shall be surrendered to the undersigned duly endorsed by the Station Master of

the Station of delivery on the arrival of the consignment.(a)A certified copy of this licence shall be tendered with the consignment at the despatching Station.(b)Cotton imported under this licence shall not be used except for the purpose stated above, save under the instructions of the licensing authority.Dated the..... 20.....Licensing AuthorityThis certified copy should accompany the invoice to Railway audit and should be despatched from there to the Secretary, Indian Central Cotton Committee.Form E[See sub-rule (3) of Rule 6]Certified copy of single licence in Form DLicence No..... of 20.....Under the Cotton Transport Act, 1923 (III of 1923) Messrs..... are granted a licence to..... import to..... (Station), situated in protected area as notified by Notification No..... dated..... Bales/quintals..... of..... [from] [State whether ginned cotton, cotton waste, kapas or cotton seed.] ..... (Station) for the purpose of.....This licence is valid only for one consignment and shall be surrendered to the undersigned, duly endorsed by the Station Master of the Station of delivery on the arrival of the consignment.(a)A certified copy of this licence shall be tendered with the consignment at the despatching Station.(b)Cotton imported under this licence shall not be used except for the purpose stated above, save under the instructions of the licensing authority.Licensing AuthorityName of consignorNumber of balesDescription of CottonDated the.....20.....Signature of the consignorSignature of the Station MasterForm F[See sub-rule (1) of Rule 7]Messers/Mr.....Single Licence for consignment by Road or RiverMessers/Mr.....Under Cotton Transport Act, 1923 are/is granted a licence to import to..... (Station) situated in the protected area known as..... notified by Notification..... Bales/quintals..... of..... [from] [State whether ginned cotton, cotton waste, kapas or cotton seed.] ..... for the purpose of.....This licence is valid only for one consignment and shall be surrendered to the officer in charge of the ..... at..... on the arrival of the consignment.(a)A certified copy of this licence shall be tendered with the consignment at the despatching station.(b)Cotton imported under this licence shall not be used except for the purpose stated above, save under the instructions of the licensing authority.Dated the..... 20.....Licensing Authority.NotificationsSection 3[Notification No. 5869-2266-XIV-I, dated 8th September, 1967.] [Published in M.P. Rajpatra Part I, dated 22-9-1967 at page 1114.] - Where it is necessary to maintain the quality and the reputation of cotton grown in the areas of Madhya Pradesh mentioned in Schedule I hereto appended (hereinafter referred to as the Protected Areas');Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cotton Transport Act, 1923 (III of 1923), and in supersession of all previous Notifications in this behalf, the Government of Madhya Pradesh hereby prohibits-(1)the import of cotton into the areas by rail, road and river save under and in accordance with the conditions of a licence prescribed in this behalf; and(2)the delivery to, and the taking delivery by, any person at any railway station situated in the protected areas and specified in Schedule II hereto appended of any cotton when such cotton has been consigned from a railway station not situated in the protected areas, unless such person holds the prescribed licence for the import by rail of the cotton into the protected areas.

I

Protected Areas. The areas comprised in the revenue districts of East Nimar, West Nimar, Dhar, Indore and Hoshangabad.

## **II**

Railway Stations included in the protected areas:

- 1. Delhi-Bombay Line (Central Railway). - All stations between Hoshangabad and Burhanpur (Both inclusive) on Bhopal-Bhusawal Section of the above railway.**
- 2. Bombay-Delhi Line (Western Railway). - All Stations between Roonkheda and Mahidpur Road (both inclusive) on Ratlam-Nagda Section of the above railway.**
- 3. Nagda-Ujjain Line (Western Railway). - All stations between Nagda and Ujjain (both inclusive) on Nagda-Ujjain Section of the above railway.**
- 4. Indore-Bhopal Line (Western Railway). - All Stations between Indore-Bhopal (both inclusive) on the Indore-Bhopal Section of the above railway.**
- 5. Ajmer-Khandwa Line (Western Railway). - All Stations between Runija and Khandwa (both inclusive) on the Ratlam-Khandwa Section of the above railway.**