

The United Provinces Cotton (Statistics) Act, 1947

UTTAR PRADESH

India

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Act 5 of 1947

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The United Provinces Cotton (Statistics) Act, 1947(U.P. Act No. 5 of 1947)[Dated 13th March, 1947]Received the assent of the Governor of the United Provinces on March 13, 1947, published in the United Provinces Gazette on March 22, 1947.An Act to facilitate the collection of statistics relating to raw cotton in the United ProvincesWhereas it is expedient to facilitate the collection of statistics relating to raw cotton in the United Provinces.It is hereby enacted as follows :

1. Short title, extent and commencement.

(1)This Act may be called "the United Provinces Cotton (Statistics) Act, 1947".(2)It extends to the whole of [Uttar Pradesh] [Substituted by the A.O. 1950.]Note. - This Act has been extended to the areas mentioned in Column 1 of this table under the Act or Order mentioned in Column 2 and enforced in such areas under notification, if any, mentioned in Column 3 with effect from the date mentioned in Column 4 against each such area.

Areas	Act or Order under which extended	Notification, if any, under which enforced	Date from which enforced
(1)	(2)	(3)	(4)
1. Rampur District	Rampur (Application of Laws) Act, 1950	No. U.O. 133 (iv)/XVII-345-49, dated February 28, 1951, inGazette dated March 3, 1951, Part I, page 184.	March 3, 1951
2. Banaras District	Banaras (Application of Laws) Order, 1949	No. U.O. 133 (ii)/XVII-204-50, dated February 28, 1951, inGazette, dated March 3, 1951, Part I, page 184.	March 3, 1951
3. Tehri-Garhwal District	Tehri-Garhwal (Application of Laws) Order, 1949	No. U.O. 133/XVII-344-49, dated February 28, 1951 in Gazette,dated March 3, 1951, Part I-Ka page 184.	Ditto

(3) It shall come into [force] [Enforced on December 1, 1947, vide Notification No. 9724/XXVIII-200, dated November 6, 1947, in Gazette, dated November 15, 1947, Part I, page 828.] on such date as the [State Government] may, by notification in the Official Gazette, appoint in this behalf.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, - (i) "cotton" means raw cotton of every description, including foreign raw cotton and cotton waste; (ii) "Economic Adviser" means Economic Adviser to Government, [Uttar Pradesh] [Substituted by the A.O. 1950.]; (iii) "Indian Central Cotton Committee" means the Indian Central Cotton Committee constituted under the Indian Cotton (Cess) Act, 1923; (iv) "owner" means the owner of a cotton ginning factory or a cotton pressing factory and includes the managing agent or other principal officer of such factory; (v) "prescribed date" means the thirty-first day of August; (vi) "[State] [Substituted by the A.O. 1950.]" means [Uttar Pradesh] [Substituted by the A.O. 1950.]; (vii) "trader" means a person carrying on the business of selling or purchasing cotton and includes a broker or a commission agent who makes contracts for the sale or purchase of cotton for others and stocks cotton on their behalf, or anyone holding stocks of cotton; (viii) the expression "cotton ginning factory" and "cotton pressing factory" shall have the meanings respectively assigned to them by the Cotton Ginning and Pressing Factories Act, 1925.

3. Delivery of yearly returns of cotton.

(1) Every trader and every owner shall each year prepare and deliver or cause to be prepared and delivered to the Economic Adviser a return, in the form prescribed by rules made under this Act, or the quantity of cotton of different varieties in his possession on the prescribed date. (2) Every such return shall be delivered or sent by post to the Economic Adviser within seven days of the prescribed date.

4. Right of access to record or document.

- The Economic Adviser or any person authorized by him in writing in this behalf shall, for the purpose of the collection of any statistics required under Section 3, have access to any relevant record or document or document in the possession of any trader or owner and may enter at any reasonable time any premises wherein he believes such record or document to be and may ask any question necessary for obtaining any information required for the aforesaid purpose.

5. Use of return required under Section 3 or information obtained under Section 4.

- The Economic Advisor may use the returns furnished under Section 3 or information obtained under Section 4 for such purposes as he may deem fit and may in particular use such returns or information for the purpose of supplying any statistics required by the Indian Central Cotton

Committee.

6. Restriction on the publication of returns and information.

(1) No individual return made under Section 3 and no part of such return and no information obtained under Section 4 shall, without the previous consent in writing of the trader or owner, as the case may be, by whom the return or information was furnished or given, or his authorized agent be published in such manner as would enable any particulars to be identified as referring to a particular cotton ginning factory or a cotton pressing factory or the business of any particular trader. (2) Except for the purposes of a prosecution under this Act or under the Indian Penal Code, 1860, no person not engaged in connection with the collection of statistics required under this Act shall be permitted to see any individual return or information referred to in sub-section (1).

7. Penalties.

- If any person-(a) wilfully refuses or without lawful excuse neglects to furnish the return required under Section 3, or (b) wilfully furnishes or causes to be furnished any such return which he knows to be false, or (c) refuses to answer or wilfully gives a false answer to any question asked in exercise of the powers conferred by Section 4, or (d) impedes the right of access to relevant record or document or the right of entry conferred by Section 4, he shall be punishable with fine which may extend to rupees five hundred, and in the case of a continuing offence, to a further fine which may extend to rupees two hundred for each day after the first during which the offence continues; and in respect of a false return or answer the offence shall be deemed to continue until the true return or answer has been given or made.

8. Penalty for improper disclosure of information and returns.

- If any person engaged in connection with the collection of statistics under this Act wilfully discloses any information or the contents of any return given or made under this Act otherwise than in the execution of his duties under this Act or for the purpose of the prosecution of an offence under this Act or under the Indian Penal Code, he shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both, imprisonment and fine.

9. Cognizance of an offence.

- No prosecution under Section 7 shall be instituted except with the previous sanction in writing of the [State Government] [Substituted by the A.O. 1950.].

10. Protection for acts done under this Act.

- No suit or other legal proceeding shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Act.

11. Power to make rules.

(1)The [State Government] [Substituted by the A.O. 1950.] may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act.(2)Without prejudice to the generality of the foregoing powers, such rules may provide for the following matters, namely : (a)the form of return to be furnished under Section 3; and (b)the exercise of the right of access to documents and the right of entry conferred by Section 4.