

The Punjab Cotton Ginning and Pressing Factories Rules, 1965

HARYANA

India

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Rule

THE-PUNJAB-COTTON-GINNING-AND-PRESSING-FACTORIES-RULES of 1965

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The Punjab Cotton Ginning and Pressing Factories Rules, 1965Published vide Punjab Government Notification No. GSR 94/PA 55/S.18/65 dated 17.5.1965.

1.

(1)These rules may be called the Punjab Cotton Ginning and Pressing Factories Rules, 1965.(2)They shall come into force at once.

2.

In these rules, unless the context otherwise requires.-(1)'Act' means the Punjab Cotton Ginning and Pressing Factories Act, 1953 (Act II of 1955);(2)'Form means a form append to these rules;(3)'Section' means a section of the Act.4.

3.

Section 18(2)(a) - Mixture of more than 3 per cent of a different variety of cotton shall be treated as admixture of cotton.

4.

Section 18(2)(b) - The proportion of seed that may be contained in any cotton (lint) shall not exceed 0.5 per cent.

5.

Sections 5, 6 and 18(2)(c). - For the purposes of sections 5 and 6 the Deputy Directors of Agriculture of the Circle concerned and the Cotton Extension [Haryana] [Vide Haryana Adoption of laws Order 1968.] are authorised to examine samples of sealed cotton and cotton seed in regard to the extent of adulteration, percentage of moisture and proportion of cotton seed in lint and make a report thereon and certify as to the normal quantity of moisture which a given sample of cotton should contain, and the quantity of moisture which it actually contains. They will base their conclusions on their own observations and tests, in addition to the data obtained from the following sources:-(a)Moisture content of the sample determined by the Agriculture Chemist in his Laboratory;(b)Lint length of the sample determined by Economic Botanist Cotton, Haryana in his Technological Laboratory.

6.

Sections 3, 6, 7 and 18 (2) (d). - The following officers are hereby authorised for the purpose of sections 3, 6 and 7 to enter in and inspect any cotton ginning or pressing factory. Anyone of them may ask for the production of any ginning register or press register and inspect any cotton package or bale of cotton for the purpose of ascertaining whether there is any contravention of any of the provisions of the Act or these rules and to seize all things in respect of which an offence punishable under the Act appears to have been committed.-(a)Director of Agriculture, Haryana;(b)Additional Director of Agriculture;(c)All Deputy Directors of Agriculture;(d)Cotton Extension Officer, Haryana;(e)All District Agricultural Officers;(f)Assistant Cotton Extension Officers;(g)Assistant Cotton Botanist (Dev.);(h)Statistician; Department of Agriculture, Haryana;(i)Agricultural Engineer (Boring Operations) Haryana;(j)Marketing Officer, Haryana;(k)Assistant Marketing Officers, Department of Agriculture, Haryana;(l)Assistants Statistician, Department of Agriculture, Haryana;(2)The Officers mentioned above shall exercise the right of access and inspection during the working hours of a factory and within the sphere of their respective duty.

7.

Sections 5, 6 and 18 (2) (e) - (1) Any of the officers under rule 6(1) shall forward samples of sealed cotton to the Deputy Director of Agriculture, of the Circle concerned or the Cotton Extension Officer, Haryana in such quantities as are indicated below :-(a)If the cotton seized weighs more than 10 kilograms, one random sample of such cotton weighing two kilograms;(b)If the cotton seized weighs less than 10 kilograms, all the cotton seized.(2)The sample separated under sub-rule (1) shall be packed and sealed with official seal of the officer in the presence of the owner or manager who will also be allowed to put his seal if he so desires.(3)The seizing officers shall receive an undertaking in writing from the person whose cotton has been seized, to produce before him the remaining quantity of cotton, if any, when demanded.(4)If, on receipt of a certificate from the Deputy Director of Agriculture or Cotton Extension Officer Haryana about the contents of the sample so seized, the sample is found defective, the Director of Agriculture, Haryana, may authorise any of the officers mentioned in sub-rule (1) of rule 6, to lodge, with the previous sanction of District Magistrate or a Magistrate of the First Class especially empowered in this behalf by the State

Government, a complaint in a court of competent jurisdiction.

8.

Sections 6(1), 7(3) and 18(2) (f). - (1) A complaint in respect of any cotton package or bale may be made in writing to any one of the officers mentioned in sub-rule (1) of rule 6 and shall be accompanied by a sample of cotton complained of: Provided that no such complaint shall be entertained, unless a fee of Rs. 10 in respect of each package or bale has been paid. (2) The officer, on the receipt of the complaint, shall cause the cotton package or bale in respect of which the complaint has been made, to be seized and sealed and forward sample of sealed cotton to the Deputy Directory of Agriculture or the Circle concerned of the Cotton Extension Officer, Haryana, for examination and report. Note. - Fee prescribed above shall be recoverable in the case of bales in respect of actual number of bales to be opened for examination (subject to a minimum of ten per cent of a consignment) and not in respect of the total number of bales in respect of which the complaint is made.

9.

Sections 8 and 18(g). - (1) The owner or lessee of every cotton ginning or pressing factory constructed after the enforcement of the Act shall apply to the Director of Agriculture, Haryana for the allotment of the mark required under section 8 to be used for such factory, not less than one month before the work commences in the factory. (2) The special mark, allotted to each factory shall consist of letter 'P' denoting the Haryana State together with a number denoting the factory. (3) The numbers denoting the factories shall run consecutively. (4) No special mark once allotted to a factory shall be transferred to any other factory. (5) The serial number shall consist of two parts. The first part shall consist of two numerals being the last two integers of the calendar year in which the cotton year has commenced and the second part shall be the running number of the bale according to the factory's press register. A new series of running numbers shall be started at the commencement of each cotton season on the first day of September in each calendar year and shall be terminated on the thirty-first day of August of the following year. (6) The special and the two integers denoting the cotton year shall be indelibly punched or stamped on any part of the central hoop of the bale in such a manner as to be clearly decipherable. Provided that if the bale is lashed with less than three hoops the marks shall be punched on either of the hoops, if two hoops be used, or near the middle of the hoop, if only one hoop be used. The letters and number used shall, in no case, be less than one quarter of an inch in length. English letters and numbers only shall be used. (7) The running number of the bale shall be punched or stamped on the hoop as described above or shall be stencilled in ink on the Hessian covering of a lashed flat side of the bale in such a manner as to be clearly decipherable. English numbers only shall be used. These shall not be less than two inches in length. The following order shall be observed for marks punched on the hoops:- Number denoting factory, letter 'P' denoting Haryana State, numerals denoting cotton year. If the running number is punched on the hoop it shall follow the second of the two numbers denoting the cotton year and separated from it by a star. When the running number is on the hessian, a star be placed before the first integer and after the last integer. Illustration A bale of cotton pressed in February, 1954, would be marked in either of the following ways -

On the hoop	On the hoop	On the Hessian
3	3	*
5	5	3
P	P	4
5	5	5
3	OR 3	6
*		

3
4
5
6

In this mark 35 P is the factory mark, P denoting the Haryana State and 35 is the number allotted to the factory; 53 * 3456 is the serial number 53 denoting the cotton year commencing on 1st September, 1953 and 3456 the running number of the bale pressed in the factory. Note. (a) In order to reduce to the minimum any risk of weakening the hoops by punching or stamping of marks, it is advisable to place the numbers and letters as in diagram (A) and not as in diagram (B)

Diagram A

Diagram B

3
5
P
5
3

35-P

53

Note (b) The stencilling of the running number on the end or unlashed side of a bale does not fulfil the requirements of this rule. Bales pressed during a season but containing cotton from the crop of the previous year shall be marked 'OLD' by stencilling this word in capital letters, on the hessian cloth to the right side of serial number of the bale. The letter should be indelible and in no case less than two inches in height.

10.

Sections 2A, 9, 12, 13, 14 and 18(2)(h) - The authority for the purpose of Sections 2A, 9, 12, 10 and 14 shall be Director of Agriculture Haryana and also the Joint Director of Agriculture concerned with the Marketing Branch of the Agricultural Department.

11.

Section 18(2)(i) - The despatch through the post under registered cover of any order under the Act to the owner or person in charge of a factory shall be deemed to be sufficient service of the same on the owner.

12.

Sections 3, 9 and 18(G)(j) - (i) The ginning register shall be maintained in form A.(ii)The Press register shall be maintained in form B.(iii)the weekly return of cotton pressed shall be in form C.(iv)The monthly return of cotton ginned shall be in form D.(v)The Government shall publish the weekly statement of cotton pressed in form E.(vi)The monthly statement of cotton ginned shall be published in form F.(vii)The weekly returns of cotton pressed for the seven days ending on Friday of each week shall be submitted not later than the following day, viz., Saturday.(viii)The monthly returns of cotton ginned during a calendar month shall be submitted not later than the first day of the following month.

13.

Section 18(2)(k) - The cotton season shall commence on the first day of September, in each calendar year and shall terminate on the thirty-first day of August next following.

14.

Section 11 and 18(2)(1) - The objections against pressing and ginning charges proposed to be fixed by the Government should reach the President, State Cotton Committee, within 30 days of the Notification to this effect in the Government Gazette and may be considered and disposed of by him (President, State Cotton Committee).

15.

Section 15 - If the owner of a cotton ginning or pressing factory for which a licence has been granted for the season wants to close the factory before the end of the season, he shall apply for permission to do so to the State Government through the Director of Agriculture, Haryana, stating clearly the reasons for the same and take necessary action only after the receipt of sanction.

16.

(1)Sections 2A and 18(2)(m) - The licence fee for a cotton season for shall be as under -

(a) Roller gins Rs. 15 per roller gin.

(b) Saw gins Rs. 100 per saw gin.

(c) Presses Rs. 100 per cotton press, and

(2) The licence shall be granted subject to the following conditions - (a) The licensee shall comply with the provisions of the Punjab Cotton Ginning and Pressing Factories Act, 1953 (Act II of 1955) and these rules; (b) The licensee shall not permit evasion or infringement of any of the provisions of the Act and shall report in writing to the Director of Agriculture, Haryana, any evasion or breach that comes to his knowledge; (c) The licensee shall ensure that the quality of ginned cotton is not impaired due to any defect in the construction or condition of machines or their improper working; (d) The licensee shall produce his licence on demand to the authority issuing it or renewing it or to any of the officers mentioned in sub-rule (1) of rule 6. (3) The application for the grant of licence shall be submitted in Form G. (4) The licence shall be granted in Form H. (5) Order for the cancellation or suspension of the licence shall be given in Form I. (6) Application for renewal of licence shall be submitted in Form J. (7) The renewal licence shall be granted in Form K.

17.

The Punjab Cotton Ginning and Pressing Factories Rules, 1955 published with Punjab Government Development Department Notification No. 177-AGR-56/177, dated the 21st January, 1956, are hereby repealed: Provided that any thing done or any action taken under the rules hereby repealed shall be deemed to have been done or taken under the corresponding provisions of these rules. Form 'A' (See rule 12) Ginning Register Name and number of factory. Name and address of owner. Name of registered lessee, if any. Year.

Name of person for whom cotton was ginned.	*Variety of cotton.	Quantity by weight in Kilograms of Kapas or lint ginned for each person in column 1	Date on which ginned	Remarks	Signature of owner or person in charge of the factory or person authorised by owner
		Kapas Lint (Kilograms)			
1	2	3	4	5	6

*The cotton should be classified under the following varieties, viz, (1) Punjab Desi, (2) Punjab American. Form 'B' (See rule 12) Cotton Press Register Name and number of factory. Name and address of owner. Name of registered lessee, if any. Press mark Year.

Date	Variety of cotton*	Total of bales pressed	Serial No. of bales pressed	Name of persons for whom pressed	
Day	Months				
1	2	3	4	5	6

Note (in these columns the weights of bales, average weights, etc., may be entered to facilitate the preparation of the return under Section 9)

Signature of owner or person in charge of the factory or person authorised by owner

*The cotton should be classified under the following varieties, viz, (1) Punjab Desi, (2) Punjab American. Form 'C' (See rule 12) Return of Cotton Pressed for the week ending----- 19[Return under section 9 of the Punjab Cotton Ginning and Pressing Factories Act, 1953] (Act II of 1955) Name of Pressing Factory _____ .Name of owner _____ .Name of registered lessee, (if any) _____ .Press Mark _____ .Correct postal address of factory _____ .

Trade descriptions

Number of bales pressed during the week

In running bales

1

2

Cotton Lint-

1. Punjab Desi

2. Punjab American

Total

Cotton Waste

Place _____ Date _____ Signature of owner or person-in-charge _____ Form 'D' (See rule 12) Cotton Ginning Return Return under section 9 of the Punjab Cotton Ginning and Pressing Factories Act, 1953 (Act II of 1955). District _____ Number of Ginning Factory _____ Return showing quantity of cotton ginned for the month of _____ 19. Name of Ginning Factory with correct postal address _____ Name of the owner or registered lessee (if any).

Trade Description

Quantity (by weight) of Kapas ginned or lint (ginned cotton) produced

During the month

Kapas(Kilograms)

1

2

1. Cotton Desi

Total _____ Date _____ Signature of owner or person in-charge Form E (See rule 12) Statement of cotton pressed in Haryana for the week ending under section 9(4) of the Punjab Cotton Ginning & Pressing Factories Act, 1953 (Punjab Act 2 of 1955)

Name of Division or Block

1

1. Ambala Cotton Lint

Foot Notes. - (a) Total number of factories in operation during the week (b) Total number of factories for returns have been received. Director Agriculture Haryana Form 'F' (See Rule 12) Statement of cotton ginned in the Haryana for the month 19 under section 9(2) of the Punjab Cotton Ginning and pressing Factories Act, 1953 (Punjab Act No. 2 of 1955). (Figures in terms of bales of 180 kilograms each)

Name of the Division or block

1

1. Ambala

Form G(See rule 16)Application form for the grant of licence for working of Cotton Ginning and/or Pressing Factory.(a)Name of applicant, parentage and address.(b)Name of the owner of the factory.(c)Press or/and ginning marks and locations.(d)The number of gins and press (i) Roller gins (ii) saw gins (iii) cotton press.(e)If the applicant is a firm, give the name of all the persons constituting it, with parentage, residence and address of each.(f)Name of the Manager, Managing Agent or Managing Proprietor.(g)Name and style under which applicant will work.(h)Whether the applicant is a firm whether any member thereof singly or in collaboration with any body else, holds a licence, has applied for licence or intends to apply for a licence for another factory in the State. If so the names of such factory or factories and the stations where located.It is certified that the facts given above are correct to the best of my knowledge and belief.Date _____Signature of the applicantForm H(See rule 16)Form of licence for working a Cotton Ginning or/and Pressing Factory.No.

1. Station.

2. Ginning or/and Pressing mark.

3. Name of proprietor.

4. Name and style of the person or firm working the factory.

5. Name, parentage, residence and address, in full, of the applicant.

6. Date from which licence takes effect.

7. Date on which the licence expires.

8. Any additional condition of the licence.

9. Amount of fee paid.

10. This licence is issued for the working of roller gins saw gins and cotton press.

11. Remarks

Date _____ Place _____ Signature of licence issuing authority with designation
Conditions of Licence (a) The licensee shall comply with the provisions of the Punjab Cotton Ginning and Pressing Factories Act, 1953 (Act II of 1955) and these rules. (b) The licensee shall not permit evasion or infringement of any of the provisions of the Act and shall report in writing to the Director of Agriculture, Punjab, any evasion or breach that comes to his knowledge. (c) The licensee shall ensure that the quality of ginned cotton is not impaired due to any defect in the construction or condition of machines or their improper working. (d) The licensee shall produce his licence on demand to the authority issuing it or renewing it or to any of the officers mentioned in sub-rule (1) of rule 6. Form I (See rule 16) Order for cancellation or suspension of the licence No. Dated

1. Nature of offence.

2. Order No. and date of the convicting court.

3. Substance of the order of the licence issuing and cancelling authority.

Place. _____ Date . _____ Signature, Name and Designation of the licence cancelling authority. Form J (See rule 16) Application for renewal of the licence for working a Cotton Ginning and/or Pressing Factory.

1. Name of applicant, parentage and address.

2. Name of the owner of the factory with address.

3. Press and Ginning marks and location of the factory.

4. Name of Manager or Managing Proprietor.

5. Number of licence.

6. Date on which licence expires.

7. Year for which renewal is requested.

8. Fee paid Rs.

9. Has the licence been previously suspended or cancelled, if so, where and on what account ?

10. Justification for the renewal of suspended or cancelled licence.

Certified that the above facts are correct to the best of my knowledge and belief. Date

_____ Place _____ Signature of the applicant (or Manager or Managing Proprietor)