

# **The M.P. Cement Apmishran Nivaran Adhiniyam, 1981**

MADHYA PRADESH

India

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## **Act 38 of 1981**

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The M.P. Cement Apmishran Nivaran Adhiniyam, 1981(Act No. 38 of 1981)[Dated 30th October, 1981]Received the assent of the Governor on the 30th October, 1981; assent first published in the "Madhya Pradesh Gazette" (Extraordinary), dated the 3rd November, 1981).An Act to provide for prevention of adulteration of cement with any other cementitious material not conforming to the I.S.I. standard and for matters connected therewith.Be it enacted by the Madhya Pradesh Legislature in the Thirty second year of the Republic of India as follows :

### **1. Short title, extent and commencement.**

(1)This Act may be called The Madhya Pradesh Cement Apmishran Nivaran Adhiniyam, 1981.(2)It extends to the whole of Madhya Pradesh.(3)It shall come into force at once.

### **2. Definitions.**

- In this Act, unless the context otherwise requires,-(a)"adulterate" means mixing of any other cementitious material with the cement, whatever be the proportion :(b)"cement" means any variety of cement manufactured in India and includes blast furnace slag cement, portland pozzolana cement, rapid hardening portland cement, white portland cement, hydrophobic portland cement, ordinary portland cement, low heat portland cement, high strength ordinary portland cement, cement used for the manufacture of railway sleepers, masonry cement, oil well cement, super sulphated cement or any other variety of cement which the Central Government may, by notification in the Gazette, specify under any enactment relating to the control of the quality of cement with reference to the standard prescribed by I.S.I.:(c)"cementitious material" means any material (by whatever name called) other than cement, such as sagol or other similar material which is, or may be used for joining two bodies but shall not include lime or hydrated lime;(d)"dealer" shall include a manufacturer of cementitious material.

### **3. Regulation of sale of cementitious material.**

- No dealer shall sell or expose for sale of cementitious material, unless, -(a)[ it is duly coloured dark red;] [Substituted by Madhya Pradesh Act No. 27 of 1982.](b)it is packed in a container other than a gunny bag usually used for the packing of cement; and(c)a bag contains not more than 35 kilograms of cementitious material.

### **4. Prohibition of use of word "cement".**

- No dealer shall in any form whatsoever, exhibit on the packing of the cementitious material the word "cement" singly or in combination with other words.

### **5. Prohibition for sale, etc. of cementitious material with cement.**

- No dealer shall store, expose for sale or sell cementitious material in the premises where cement is stored, exposed for sale or sold.

### **6. Prohibition for adulteration.**

- No dealer shall adulterate cement or mix cementitious material with cement.

### **7. Power of inspection, etc.**

- Any officer, duly notified by the State Government in this behalf, shall have a right to enter into any premises where cement or cementitious material is stored or exhibited for sale or sold and take samples for purposes of investigation of offences under, or enforcement of the provisions of this Act.

### **8. Penalty.**

(1)Any contravention of the provisions of this Act or of the rules made thereunder shall be deemed to be an offence punishable with imprisonment for a term which may extend to five years and with fine.(2)A prosecution under this Section shall be instituted only on the complaint of such officer as the State Government may, by notification, specify in this behalf.

### **9. Power to make rules.**

(1)The State Government may make rules generally or carrying out the purposes of this Act.(2)Without prejudice to the generally of the foregoing power, the State Government may make rules providing for, -(i)the setting up of a laboratory or testing samples;(ii)forms in which reports shall be submitted by an analyst;(iii)the attribution of presumptive correctness to the report of an analyst; and(iv)specifying the manner in which samples shall be taken and dispatched to an analyst for testing.(3)All rules made under this Act shall be laid on the table of the Legislative Assembly.

## 10. Saving.

- The provisions of this Act shall be in addition, and not in derogation of the provisions of any Act or order issued thereunder relating to the quality control of cement. Notifications Notification No. 10148-71-38-XXIX-2-81, dated 1-12-1981, Published in Madhya Pradesh Rajpatra (Asadharan), dated 1-12-1981, p. 2299. - In exercise of the powers conferred by sub-section (2) of Section 8 of the Madhya Pradesh Cement Apmishran Nivaran Adhiniyam, 1981 /No. 38 of 1981), the State Government hereby specifies all Collectors and Additional Collector in the State for purposes of the said sub-section within their respective jurisdiction. Notification No. 10148-71-38-XXIX-2-81, dated 1-12-1981, Published in Madhya Pradesh Rajpatra (Asadharan), dated 1-12-1981, p. 2299. - In exercise of the powers conferred by Section 7 of the Madhya Pradesh Cement Apmishran Nivaran Adhiniyam, 1981 (No. 38 of 1981), the State Government hereby notifies the officer specified in column (2) of the Schedule below for the areas specified in column (3) thereof for purposes of the said Section :-

## Schedule

S.No.	Officers	Areas
(1)	(2)	(3)
1.	Director of Food and Civil Supplies, Madhya Pradesh	
2.	Joint Director, Food and Civil Supplies, Madhya Pradesh.	
3.	All Deputy Directors, Food and Civil Supplies, Madhya Pradesh.	
4.	All Assistant Directors, Food and Civil Supplies, Madhya Pradesh.	Whole State.
5.	All Food Officers/Food Controllers	Within the limits of their respective jurisdiction.
6.	All Police Officers not below the rank of Superintendent of Police, Madhya Pradesh.	Within the limits of their respective jurisdiction.
7.	All Revenue Officers not below the rank of Tahsildar, Madhya Pradesh.	Within the limits of their respective jurisdiction.
8.	All Officers of Industry Department not below the rank of Assistant Director of Industries.	Within the limits of their respective jurisdiction.
9.	All officers of Weights and Measures Department not below the rank of Asstt. Controller.	Within the limits of their respective jurisdiction.