

Tamil Nadu Cotton Control Rules, 1954

TAMILNADU

India

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Rule TAMIL-NADU-COTTON-CONTROL-RULES-1954 of 1954

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Tamil Nadu Cotton Control Rules, 1954 Published vide Notification No. G. O. Ms. No. 242, Agriculture, dated 21st July 1954 In exercise of the powers conferred by sub-section 15 of the Tamil Nadu Control Act, 1952 (Tamil Nadu Act 15 of 1952) the Governor of [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (2nd Amendment) Order, 1969.] hereby makes the following Rules, the same having been previously published as required by the said section:-

1. Short title and commencement.

(1) These rules may be called [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (2nd Amendment) Order, 1969] Cotton Control Rules, 1954. (2) They shall come into force at once.

2. Report and saving provision.

(1) The [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (2nd Amendment) Order 1969.] Cotton Control Rules, 1943, are hereby repealed. (2) Notwithstanding such repeal, any order made, notification issued, right accrued, penalty incurred or anything done or deemed to have been done under the said rules shall, so far as may be deemed to have been made, issued, accrued, incurred or does under the corresponding provisions of these rules.

3. Definitions.

- In these rules, - (i) "Act" means [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (2nd Amendment) Order, 1969.] Cotton Control Act, 1952, [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu

Adaptation of Laws (2nd Amendment) Order, 1969.] Act 15 of 1952);(ii)"Section" means a section of the Act;(iii)"Schedule" means any of the schedules to these rules;(iv)"Authorized person" means a person or agency, including any co-operative society authorized by the Director and any depot belonging to the Department of Agriculture.

4. Publicity of notification.

- The draft of any notification under sub-section (1) of section 3, shall be published in English in the [Fort. St. George Gazette] [Now Tamil Nadu Government Gazette.] and in English and in the regional language in the Gazette or Gazettes of the district or districts in which the controlled area is situated. The draft notification shall also be printed in the regional language or languages or the district or districts concerned and distributed freely through village officers and a copy of it shall also be affixed in the village chavadi or in any conspicuous place in the village or villages in which the controlled area is situated. The contents of the notification shall also be given publicity by beat tom-tom in the village or villages concerned.

5. Ensuring purity of seeds of standard cotton.

(1)(i)The seeds for sowing standard cotton shall be those obtained from an officer or depot of the Department of Agriculture or from any person or any co-operative society or agency authorized by the Director to sell pure seeds of standard cotton.(ii)No person or agency other than the authorized person or agency shall sell, distribute or otherwise deal in any manner in seeds of standard cotton variety for sowing purposes in the controlled areas.Notwithstanding anything contained in these rules, persons who are desirous of using their own seeds of standard cotton prescribed for sowing purposes may do so provided they comply with the provisions of purity prescribed by the Director of Agriculture from time to time.(2)(i)Every person or agency desirous of dealing in a standard cotton variety for sowing purposes should apply to the Director for the issue of an authorization in the form prescribed in Schedule A through the Cotton Specialist, Coimbatore.(ii)Separate applications should be sent for each standard cotton variety.(iii)An application for the issue of an authorization or for its renewal should be made to the Director on or before the 1st of May, each year.(3)(i)The Director shall, at his discretion, authorize in the form prescribed in Schedule B any person or co-operative society or agency to sell pure seeds of standard cotton. The authorization shall be subject to such terms and conditions as maybe prescribed by the Director from time to time. The names and addresses of the authorized persons, co-operative societies and agencies shall be notified by (he Director in the [Fort St. George Gazette] [Now Tamil Nadu Government Gazette.] within a month from the date on which the authorization is made.(ii)Each authorized person should maintain a record of all transactions in the form prescribed in Schedule C.(iii)The authorization issued should be exhibited in a prominent place of business.(iv)The authorization is valid from the date of issue up to the 31st May of the year following that date.(v)An authorization issued under these rules is not transferable.(vi)In cases where an authorization is lost or destroyed, a duplicate may be issued by the Director on application, if he is satisfied that the loss or destruction of the original was due to circumstances beyond the control of its holder.(4)Holders of authorization issued under these rules shall be held fully responsible for defects in packing the seeds, quantity of seeds packed, marking and for use of false weights and scales and their authorization are liable to be cancelled by the

Director in such cases.(5)The net weight of seeds packed in gunny bags shall be 98 lb in respect of standard American varieties and 112 lb in respect of standard Dushi varieties.(6)(i)The name of standard cotton variety and the year of procurement shall be marked distinctly on each container or bag and a label with the seal of the authorized person or co-operative society or agency as the case may be, the authorization number and name of the variety of standard cotton and the year of procurement should be put inside each container before stitching the bag or packing the container and each bag shall be sealed with the seal of the authorized person or co-operative society or agency as the case may be, after such stitching or packing;(ii)Such container or bag shall not contain seeds of any other variety of cotton excepting one, the details of which are mentioned both outside and inside the container;(iii)The authorization of any person, co-operative society or agency contravening the provisions of clauses (i) and (ii) above is liable to be cancelled by the Director.

6. Growing of spurious varieties prohibited.

- No other variety of standard cotton or any, variety of prohibited cotton shall be grown under the name of the variety or varieties of standard cotton permitted to be grown in the controlled area.

7. Prevention of sowing of spurious varieties in gaps, etc.

- In a field already sown with a standard cotton variety, filling up gaps or resowing shall be done only with the seeds of the original variety of standard cotton and not with any other variety of standard cotton or any variety of prohibited cotton.

8. Dispute regarding identity of varieties.

- Where a dispute arises as to whether a particular sample or specimen of cotton does not belong to a variety or varieties of cotton, it shall be decided by the Cotton Specialist and his decision shall be final.

9. Mixing of cotton in factories.

(1)The register referred to in section 4(2) shall be maintained in the form prescribed in Schedule D.(2)An application under section 4(1) shall be made to the Government through the Director in the form prescribed in Schedule E.(3)The permit issued by the Government in the form prescribed in Schedule F should be exhibited in a prominent place in the factory.(4)For purpose of section 5(1)(b) every container or package or bale should bear distinctive marks on the outside of the container to show the name, year of production and quality of the variety of standard cotton packed.(5)No variety of standard or non-standard or prohibited variety of cotton shall be packed in a container other than that which is marked on the outside of the container as required in clause (5) above.

10. Complaint and offences.

- Any complaint for a contravention of section 5(l)(a), in respect of cultivation of a prohibited variety of cotton or section 5(l)(b) in respect of mixing of one variety of standard cotton with any other standard or non-standard or prohibited variety of cotton or section 5(2)(a) in respect of making mixed cottons into fully pressed bales or using the mixed cotton otherwise than in the manufacture of yarn or cloth in that factory, or section 5(2)(b), or any complaint for failure to comply with the provisions of sub-section (2) or sub-section (3) of section 4, or section 8(4) and for failure to comply with the provisions of section 8(2)(b) or section 9(1) in respect of giving all reasonable facilities to the officer authorised under section 8(1) or of clauses (i) and (ii) of sub-rule (6) of rule 5 or sub-rule (6) of rule 9 in respect of counterfeiting of marks of one variety of standard cotton for any other variety may be made in writing to the Director accompanied by a sample of the cotton complained of.

11. Officers authorized to hold enquiries and order confiscation.

- The officers authorized for purposes of section 6, and section 7(2) to order confiscation or to hold enquiry shall be the Director, or the Cotton Specialist, Coimbatore or any Assistant Cotton Specialist or any District Agricultural Officer of a district or any part of a district.

12. Officers authorized to examine cotton.

- The officers authorized for purposes of section 8(1) shall be the Director or the Cotton Specialist, Coimbatore, or any Assistant Cotton Specialist or any District Agricultural Officer of a district or any part of a district or any Agricultural Demonstrator of a taluk or any part of a taluk in which the controlled area is situated.

13. Cotton Specialist authorized to receive the sealed packages.

- The Cotton Specialist authorized to receive the sealed packages referred to in section 8(2)(a)(ii) shall be the Cotton Specialist, Coimbatore.

14. Manner of sealing.

(1)(i) Each sample of cotton seized shall be placed in a suitable container which, when packed and sealed will reach the destination safely without tampering, breakage or loss in transit; (ii) The minimum quantity of cotton other than cotton plants seized to be placed in the container shall weigh a net weight of two pounds in respect of cotton lint, six pounds in respect of cotton kapas, four pounds in respect of cotton seeds and two pounds in respect of cotton waste, the weight to be reckoned in avoirdupois; (iii) Each sample of cotton plants seized shall have twenty-five plants with root, stem, branches, leaves, flowers and bolls intact and shall be placed loosely without compressing, in a good gunny bag of suitable size; (iv) The seized cotton shall be placed in the container with a label showing in ink the name of the owner or tenant or lessee, survey number,

village, taluk and district in respect of cotton plants and the name of the factory, its owner or lessee, its situation and such other particulars and distinguishing marks as may be necessary for each identification;(v)The address of the container shall be clearly written in ink;(vi)After packing, the seal shall be fastened, in as many places as may be deemed necessary;(vii)All things seized and required to be sealed under the Act shall be sealed with the seal of the officer sealing the same, and if the owner or person in charge also wishes to seal them with this seal, he shall be at liberty to do so;(2)(i)The sealed packages to be sent to the Cotton Specialist under section 8(2)(a)(ii) shall be accompanied by a report in the form prescribed in Schedule G in respect of cotton plants and in the form prescribed in Schedule H in respect of cotton kapas or lint or seed or waste according as the cotton to which the report relates, was seized under section 8(1)(a) or (b);(ii)A copy of the report shall be sent by the Officer seizing the cotton to the Director;(3)The undertaking referred to in section 8(2) (b) shall be in the form prescribed in Schedule I(4)If in the opinion of the Director, there is evidence of contravention of any of the sections of the Act, the officer seizing such cotton may file a complaint in the form prescribed in Schedule in the Court of the Magistrate referred to in section 11.

15. Power of entry into factory etc., for inspection of register.

- The register maintained by the owner or person in charge of a factory under section 4(2) shall be open to inspection at all reasonable times by the Director or by any person authorized by him under section 4(3) and the Director or any person so authorized shall have the power to enter for the purpose of such inspection the factory or any other place in the occupation of the owner or person in charge of the factory.

A

[See rule 5(2) (i)]Application for the Issue of an Authorization to Transact Business in Varieties of Standard Cotton under the Tamil Nadu Cotton Control Rules, 1954

1. Name and address of the applicant

2. Particulars and location of place/places of business

3. Name of the variety of standard cotton for which authorization is required.

4. Quantity or variety of standard cotton required to be transacted-bags of 98/112 lb.

5. Source from which the seeds are proposed to be purchased.

- 6. Period and year for which the authorization is required.**
- 7. Controlled area where business is to be transacted Taluk/District**
- 8. Reference to previous authorizations (if any).**
- 9. I/We hereby undertake not to stock or trade in the place of business in any variety of cotton other than the standard variety for which this application is made.**
- 10. I/We hereby agree to have the permitted stock of seeds to be examined and tested for purity at any time by the Cotton Specialist or his nominee.**
- 11. I/We am/are enclosing herewith three clear specimens of the seal that shall be fixed on the bags.**
- 12. I/We hereby undertake to comply with all the provisions of the Tamil Nadu Cotton Control Act, 1952, and the rules made thereunder.**

Place:Date:.....Signature of the applicant.Note. - The application in duplicate shall be sent to the Director of Agriculture, Chennai through the Cotton Specialist, Coimbatore.

B

[See rule 5(3)(i)]Office of the Director of Agriculture, Chepauk, ChennaiAuthorization for Transacting Business in Supply of Seeds of Varieties of Standard Cotton under the Tamil Nadu Cotton Control Rules, 1954.Authorization No. Year Period of validity

- 1. Name and address of the authorized person**
- 2. Place/Places of business**
- 3. Name of the variety of standard cotton permitted to be sold.**
- 4. Total quantity allowed to be transacted - bags of 98/112 lb.nett.**
- 5. Purity of variety of standard cotton as assessed by the Cotton Specialist.**

6. Selling rate [maximum per bag of variety of standard cotton (exclusive of gunny)] Rs. per bag of 98/112 lb. nett

7. Identification marks of the seal of the authorized person

8. Date of expiry of authorization

Note: - This authorization shall be exhibited in a prominent place of business. Certified copies shall be exhibited in places of business if transacted in more than one place. Date Signature Director of Agriculture.

C

[See rule 5(3) (ii)] Register to be Maintained by Authorised Persons for Transacting Business in Seeds of Varieties of Standard Cotton under the Tamil Nadu Cotton Control Rules, 1954

1. Name of authorised person and place of business

2. Name and address of owner

3. Name and address of lessee (if any.)

4. Year

5. Authorization No dated

6. Date of expiry of authorization

7. Name of variety of standard cotton permitted to be transacted

8. Minimum purity prescribed for variety of standard cotton permitted to be transacted

9. Maximum rate fixed for the variety of standard cotton for the year: Rs. per bag of 98/112 lb.nett.

10. Total quantity of seeds of variety of standard cotton for which the authorization is issued; bags of 98/112 lb.nett.

11. Controlled area where the authorization is valid taluk district

Date	Source from which procured	Quantity procured -bags/lb.	Name of the person to whom supplied	Quantity supplied bags/lb.	Rate charged Rs. per bag of 98/112 lb.	Amount realised and bill number and date	Signature or thumb impression of purchaser	Date inspection and signature of the authorized officer with designation
(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

Note. - Every page of the register should be numbered in ink.

D

[See rule 9(1)] Register Showing Varieties of Non-Standard Cotton Permitted to be used by Factories for Manufacture of yarn or cloth under the Tamil Nadu Cotton Control Rules, 1954

1. Name of the factory and its situation**2. Name and address of the owner****3. Name and address of the lessee (if any)****4. Year (calendar year)****5. Number and date of permit.****6. Period of validity of permit.****7. Name/Names of variety/varieties of non-standard cotton permitted to be used****8. Quantity of variety/ varieties of non-standard cotton covered by the permit****9. Number of pages in the register**

Date	Source from which procured	Quantity purchased at each time	Progressive total quantity	Quantity issued	Quantity remaining as balance	Date of inspection and signature of the authorised officer with designation
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(1) (2) (3) (4) (5) (6) (7)

Note. - Bale should be reckoned as 392 lb.nett.

E

[See rule 9(2)]Application for issue of Permit for Possession and use of Varieties of Non-Standard Cotton Permitted under the Tamil Nadu Cotton Control Rules, 1954

1. Name of the factory and its situation

2. Name and address of the owner

3. Name and address of the lessee (if any)

4. Name/Names of variety/varieties of non-standard cotton for which the permit is required

5. Quantity of variety/ varieties of non-standard cotton required for use in the factory

6. Source from which the variety of non-standard cotton is proposed to be procured

7. Period for which the permit is required

8. Reference to previous permits (if any),

9. I/We hereby undertake to comply with all the provisions of the Tamil Nadu Cotton Control Act, 1952, and rules made thereunder.

Place:Date:ToSignature of applicant.The Secretary to Government Department ThroughThe Director of Agriculture.

F

[See rule 9(3)]Permit for Variety of Non-Standard Cotton for Mixing in the Manufacture of yarn or Cloth under the Tamil Nadu Cotton Control Rules, 1954

1. Permit No Year Period of validity

2. Name of the factory and its situation

3. Name and address of the owner

4. Names and address of the lessee (if any)

5. Name/Names of variety/varieties of non-standard cotton permitted to be used

6. Quantity permitted in each variety of non-standard cotton Variety Bales (392) lb.nett.)

7. Date of expiry of permit

Note. - This permit should be exhibited in a prominent place in the place of business. Certified copies should be exhibited if there are more than one place of business. Place: Date: Signature. Secretary to Government.

G

[See rule 14(2)(i)] Report of Seizure of Cotton Plants under the Tamil Nadu Cotton Control Rules, 1954

1. Description of the land in which the variety of non-standard/prohibited cotton was cultivated

(a) District (b) Taluk (c) Village. (d) Survey number and sub-division number if any

2. Name and address of the owner or occupier

3. Name and address of the tenant (if any)

4. Particulars of the cotton plants seized

(a) Description (b) Quantity

5. Description of the seals used for sealing

6. Names of witnesses-

(1)(2)

7. Date of handing the third sealed package to the owner/occupier/ tenant

8. Whether undertaking in writing was obtained from the party for safe custody

9. Any other arrangement made for the safe custody of the balance of the seized cotton

10. Any other remark

Place:Date:SignatureDesignation of the Reporting Officer.

H

[See rule 14(2)(i)]Report of Seizure of Cotton Kapas/lint/waste/seed under The Tamil Nadu Cotton Control Rules, 1954

1. Description of the land, building vessel of place in which the non-standard cotton or prohibited cotton or mixture of any standard cotton with any other standard cotton or non standard cotton or prohibited variety of cotton or the container with marks of a particular standard cotton containing some other cotton in respect of kapas or lint or waste or seeds, was kept

(a)District(b)Taluk(c)Village(d)(i)Survey number(ii)Sub-division number if any

2. Name and address of the owner of the land, building, vessel or place

3. Name and address of the person from whose possession the cotton was seized

(a)Description(b)Quantity

4. Particulars of the cotton seized

(a)Description(b)Quantity

5. Description of seals used for sealing

6. Name of witnesses

(1)(2)

7. Date of handing the third sealed package to the owner/occupier/ person to whose possession the cotton was found

8. Whether undertaking in writing was obtained from the party for safe custody of the remaining quantity

9. Any other arrangements made for the safe custody of the balance of the seized cotton

10. Any other remarks

Place:Date:Signature of the Reporting Officer.

I

[See rule 14(3)]Undertaking Given by the Owner/occupier/tenant/lessee for safe Custody of Seized Cotton Plants of Kapas or Lint or Waste or Seeds under the Tamil Nadu Cotton Control Rules, 1954I, son of of village, of taluk, ofdistrict, hereby agree to produce.....number of cotton plants of lb, of kapas or lint or waste or seeds entrusted to me this day month year by for safe custody, before any Court when required to do so by the said officer.Station:Date:Signature.

J

[See rule 14(4)]Complaint of an Offence Committed in Contravention of the Provisions of the Tamil Nadu Cotton Control Act, 1952 and the Rules Thereunder

1. Name and address of the reporting officer

2. Designation

3. Headquarters

4. Reference to the section of the Tamil Nadu Cotton Control Act, 1952, the rule of the Tamil Nadu Cotton Control Rules, 1954, against which the offence has been committed

5. Nature of offence

6. Date of inspection/entry/seizure

7. Date of reporting

8. Name and address of the offender against whom the complaint is made

9. Name and address of witnesses

(1)(2)

10. Number and date of the order of Director of Agriculture sanctioning prosecution

Station:Date:Signature of the Officer Complaining.