

The Staple Fibre Distribution Order, 1972

UNION OF INDIA

India

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Rule THE-STAPLE-FIBRE-DISTRIBUTION-ORDER-1972 of 1972

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The Staple Fibre Distribution Order, 1972 Published vide Notification Gazette of India, Extraordinary, Part 2, Section 3(1), dated 30th December, 1972 (w.e.f. 6th December, 1972).S.O. 5356, dated the 6th December, 1972. - In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:

1. Short title and commencement.

(1) This Order may be called the Staple Fibre Distribution Order, 1972. (2) It shall come into force at once.

2. Definitions.

- In this Order unless the context otherwise requires; (a) "Act" means the Essential Commodities Act, 1955 (10 of 1955); (b) "Producer" means any person who manufactures staple fibre; (c) "Textile Commissioner" means the Textile Commissioner to the Government of India, and includes any officer authorized by him to exercise all or any of the powers of the Textile Commissioner under this Order.

3. Information to be furnished by producer.

- Every producer shall within a week of the commencement of this order, furnish to the Textile Commissioner information, about- (i) the quantity and description of any staple fibre held in stock on the date of such commencement whether on his own account or on account of any other person; and (ii) the quantity and description of any staple fibre sold by him during the period commencing on the 1st January, 1971 and ending on the 30th September, 1972; with details of prices of such sales and names and addresses of the purchasers.

4. Acquisition.

- No person shall acquire or agree to acquire staple fibre from a producer or any other person holding in stock any staple fibre except under a permit from, and in accordance with the conditions specified in any special or general written order of the Textile Commissioner.

5. Certain factors to be taken into consideration while issuing permits.

- While issuing any permit under Clause 4, the Textile Commissioner shall take into consideration the following factors, namely:(a)the requirements of the industrial undertakings registered or licensed under the Act exclusively for spinning staple fibre;(b)the requirements of other undertakings which have spun staple fibre yarn during the past periods;(c)any other factor which to the Textile Commissioner may seem relevant under the circumstances.

6. Obligation of producers to sell.

- When permits have been issued under Clause 4, then notwithstanding any contract to the contrary, it shall be obligatory upon every producer to sell,subject to such conditions as may be specified in any special or general written order of the Textile Commissioner, staple fibre produced or held in stock by him to persons holding such permits and to no one else.

7. Restriction on use of staple fibre acquired.

- No person holding a permit issued under Clause 4 who has acquired any staple fibre and no person holding in stock any staple fibre (other than a producer) shall use the staple fibre for any purpose other than the spinning of yarn:Provided that any such person may with the permission in writing of the Textile Commissioner and subject to such conditions as may be imposed by him sell or otherwise dispose of any staple fibre so acquired or held in stock by him, to any person holding a permit under Clause 4.

8. Maintenance of accounts.

- Every produce and every person acquiring or holding in stock any staple fibre shall maintain correct and true accounts in respect of the production, stock, consumption, sale or disposal of the staple fibre produced or acquired or held in stock by him, as the case may be, and shall, if so required submit the same for inspection to the Textile Commissioner or any other officer appointed by him in this behalf.

9.

The Textile Commissioner may, with a view to securing compliance with this Order:(a)require any person to give any information in his possession with respect to any business carried on by that or any other person;(b)in or cause to be inspected any book or other document belonging to or control

of any person;(c)enter and search or authorise any person to enter and search any premises and seize or authorise any person to seize any article in respect of which Order has been committed and any other article in the premises which he has reason to believe has been or is intended to be used in connection with such contravention.

10.

Every person who is required to give any information under Clause 9 shall comply with such requisition.