

IMPORT OF COTTON INTO INDIA REGULATIONS, 1972

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G. S. R. 393 (E) dated 25th August 1972.-In exercise of the powers conferred by sub-section (1) of Sec. 3 of the Destructive Insects and Pests Act, 1914 (2 of 1914) and in supersession of the notification of the Government of India in the late Department of Education, Health and Lands, No. 1581, Agric., dated the 1st October, 1931, and of all other notifications issued in this behalf, the Central Government makes the following regulations for the import of cotton into India, namely :-

1. . :-

(1) These regulations may be called the Import of Cotton into India Regulations, 1972.

(2) They shall come into force on the date of their publication in Official Gazette.

2. . :-

In these regulations, unless the context otherwise requires,-

(i) "Cotton" includes ginned cotton, and droppings, strippings, fly and other waste products of a cotton mill other than yarn waste, but does not include cotton seed or unginned cotton.

(ii) "Bale" means any pressed package of cotton whatever size or density,

(iii) "Square Bale" means a bale of a weight exceeding 270 lbs.

(iv) "Round Bale" means a bale of a weight not exceeding 270 lbs.

3. . :-

Cotton shall not be imported into India :-

(i) By Sea except through the ports of Bombay, Madras, Calcutta, Cochin, Tuticorin or Bhavanagar and unless the following conditions are complied with namely:-

(a) On or before the departure of a ship carrying a consignment of cotton for Bombay, Madras, Calcutta, Cochin, Tuticorin or Bhavanagar from the port from which the cotton is consigned, the consignee shall ascertain the name of the ship, the probable date of its arrival in Bombay, Madras, Calcutta, Cochin, Tuticorin and Bhavanagar the number of bales of cotton contained in the consignment and shall furnish this information to the Collector of Customs, Bombay and to the Quarantine Entomologist, Directorate of Plant Protection, Quarantine and Storage Bombay or, as the case may be, to the Traffic Manager of the Madras Port Trust and to the Entomologist the Harbour, Madras or the Commissioner of the port of Calcutta and the Entomologist Incharge, Calcutta Port or to the Traffic Manager, Cochin Port and the Quarantine Inspector (Fumigation), Cochin Port or Port Officer, Tuticorin, or Secretary, Tuticorin Port, and the Entomologist Incharge, Plant Quarantine, Tuticorin Port, or Port Officer, Bhavanagar Port and Plant Quarantine Inspector, Bhavanagar Port as the case may be not less than 14 days before the arrival of the ship at Bombay, Madras, Calcutta, Cochin, Tuticorin, or Bhavnagar provided that where the cotton is loaded for Bombay, Madras, Calcutta, Cochin, Tuticorin, or Bhavnagar at Port Said or at any European Port the ordinary length of voyage from which is less than three weeks. It shall be sufficient to furnish the information not less than ten days before the arrival of the ship at Bombay, Madras, Calcutta, Cochin, Tuticorin or Bhavanagar.

(b) On arrival at Bombay, Madras, Calcutta, Cochin, Tuticorin or Bhavnagar, the cotton shall be disinfected in such manner as may be prescribed in the rules made by the Government of Maharashtra, the Government of Tamil Nadu, the Government of West Bengal or the Government of Kerala or the Government of Gujrat, as the case may be under Sec. 5 of the Act.

(c) Prior to taking delivery of the cotton, the importer shall pay to the Collector of Customs, Bombay, or the Docks Manager, Madras Port Trust or the Commissioners for the Port of Calcutta or the Traffic Manager, Cochin Port, or the Fort Officer, Tuticorin, or Secretary, Tuticorin Port or the Port Officer, Bhavnagar, as the case

may be in accordance with such instructions as may be issued by him, a sum at the rate hereinafter provided which shall cover the cost of fumigation, including the cost of loading the cotton into the barge, conveyance to the fumigation wharf or bunder, unloading from the barge after fumigation and delivery at the bunder, but not including docks import charges as specified by the Bombay Port Trust, the Madras Port Trust, the Cochin Port Authorities, the Tuticorin Port Authorities, as the case may be, in the scale of rates charged at the docks :

Provided that samples of the cotton imported by parcel post or as ship's parcel not exceeding 20 lbs, each in weight shall be fumigated free of cost at the Plant Quarantine and Fumigation Station at Bombay, Madras, Calcutta, Cochin, Tuticorin or Bhavnagar, as the case may be :

Provided further that the Collector of Customs, Bombay or the Deputy Collector of Customs, Bombay, or the Dock Manager of the Madras Port Trust, the Commissioners for the port of Calcutta or the Traffic Manager, Cochin Port or the Port Officer, Tuticorin, or the Secretary, Tuticorin Port or the Port Officer, Bhavnagar, as the case may be in accordance with any general or special orders of the Central Government for the time being in force may remit or refund, in whole or in part, any sum which under this notification is payable or has been paid on any consignment of cotton.

(d) No vessel discharge cotton during a period of rain, mist or drizzle.

(ii) By air except through the airport of Santa Cruz (Bombay) or Meenambakern (Madras) Dum Dum (Calcutta) or Palam/Safdarjung (New Delhi) and unless the following conditions or complied with namely :-

(a) Such importation shall be only consignments of ginned cotton packed in a manner which will not allow insects to enter into or escape from them.

(b) The consignment shall be inspected and fumigated or otherwise disinfected on arrival at the port of entry by the Plant Protection Adviser to the Government of India or any other person duly authorised by him in this behalf and the importer shall pay a fumigation or disinfection fee of rupees five per consignment if it exceeds six cubic feet does not exceed twelve cubic feet in volume, and equal amount for every additional six cubic feet or part thereof.

(c) The consignment shall be plainly and clearly marked to show the general nature and the quantity of the contents, the locality and the country of origin of the contents, the name and address of the shipper or the agent forwarding the same and address of the consignee.

(d) The consignments of ginned cotton intended for other countries shall be allowed transit through India by air or transshipment at any of the airports in India mentioned in para (1) of this notification, if such consignments are packed in a container in such a way as not to allow insects to enter into or escape from it and the container is not to be opened in any part of India, and also that the consignment is accompanied by an official phytosanitary certificate in the form and in the manner prescribed in the international Plant Protection Convention of 1951.

(e) The fumigation fee is payable to Collector of Customs at Bombay, Madras, Calcutta or New Delhi, as the case may be.

(f) The importer shall make arrangements himself, or through his agents, to take delivery of the consignment from the Collector of Customs, after the payment of dues, if any.

3A. . :-

1 There shall be no import of any cotton from Pakistan into India as the presence of cotton seeds of exotic origin, of dried leaves and their stalks in the imported consignment carry exotic strains of destructive bacterial, viral and fungal diseases which are virulent under Indian climatic conditions.

1. Inserted by the Import of Cotton into India (Amendment) Regulation, 2000, Ministry of Agriculture (Deptt. of Agriculture and Cooperation), Noti. No. G.S.R.29(E). dated January 11,2000, published in the Gazette of India, Extra., Part II, Section 3(i), dated 11th January,2000, p.2, No.28 [F.No 8-96/99-PP./]

4. . :-

The rate referred to in Cl. (c) of sub-paragraph (f) of paragraph 3, shall be Rs. 12.25 per square bale and Rs. 5.25 per round bale at Bombay and Rs. 8.00 per square bale and Rs. 5.50 per round bale at Cochin, Rs. 5.00 per square bale and Rs. 3.50 per round bale at Tuticoria and Rs. 7.44 per square bale and Rs. 5.00 per round bale at Calcutta Docks and Rs. 8.00 per square bale and Rs. 5.50 per round bale at Madras Docks and Rs. 7.70 per square bale and Rs. 5.25 per round bale at Bhavnagar Docks.

(i) An additional charge of Rs. 3.61 per bale shall be recovered on account of landing, river dues and discharge at Calcutta;

(ii) in cases in which the importer has failed to furnish information in accordance with Cl. (a) of sub-paragraph (1) of paragraph 3 each of the rates hereafter prescribed shall be increased by Rs. 2.00 per bale;

(iii) the minimum fee for the fumigation of any cotton imported at any one time on a single ship shall be rupees two hundred and ten, and when such minimum fee is leviable it shall if there is more than one consignee be distributed among the consignees in proportion to the amount of their respective consignments.