

JUTE AND JUTE TEXTILES CONTROL ORDER, 2000

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JUTE AND JUTE TEXTILES CONTROL ORDER, 2000

The Jute Textiles (Control) Order, 1956-The Jute (Licensing and Control) Order, 1961-Repealed. S.O. 396(E).-In exercise of the powers conferred by Sec. 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 Jute and Jute Textiles Control Order, 2000.
- (2) It extends to the whole of India.
- (3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions :-

In this Order, unless the context otherwise requires,

- (a) "carrier" includes the railways or any other person engaged in the business of transporting goods from one place to another by land, air or water;
- (b) "Jute Commissioner" means the Jute Commissioner appointed by the Central Government and includes any other officer appointed as such to exercise the powers of the Jute Commissioner

under this Order;

(c) "jute textile" means hessian and sacking cloth made from jute, bags made from hessian or sacking cloth, twine, yarn and any other article made, wholly from raw jute; or partly from raw jute and partly from any other material(s) where raw jute is predominant by weight;

(d) "manufacturer" means the producer of jute textiles by any process involving the use of electrical power and includes composite jute mills producing jute textiles from jute fibre involving mechanical or electrical process with heavy duty carding machine.

(e) "raw jute" means the fibre of jute also known as pat, kosta, nalita, bimli or mesta;

(f) "year" means the year commencing on the 1st day of July and ending with the 30th day of June next following.

3. Power to fix prices :-

(1) The Jute Commissioner may, from time to time, notify in the Official Gazette, the minimum price, at which any variety of raw jute or any grade or specification of such variety may be purchased or sold and different prices may be fixed for different areas or for different varieties, grades and specifications of raw jute subject to the conditions that such price is based on the Minimum Support Price fixed by Central Government.

(2) In fixing such price or prices, the Jute Commissioner shall have regard to the quality of raw jute or jute textiles, the railway freight and other expenses necessary for the transport of raw jute or jute textiles from the producing centre to the area or areas in relation to which such price or prices is or are fixed, estimated cost of production, necessity to make the same available at a fair price and any other relevant factor(s);

(3) The Jute Commissioner may, by notification in the Official Gazette, fix from time to time the maximum or minimum price or both, at which any variety of jute textiles or any grade or specifications of such variety may be purchased or sold for use under the Jute Packaging Materials (Compulsory use in Packing Commodities) Act, 1987 (10 of 1987).

4. Power to Control production of jute textiles :-

The Jute Commissioner shall take all steps necessary for the

implementation of the Jute Packaging Materials (Compulsory use in Packing Commodities) Act, 1987 or any other directive of the Central Government and may by order, direct any manufacturer or class of manufacturers, or the manufacturers generally, to produce such quantities of such classes or specifications of jute textiles as may be specified in the order for such implementation.

5. Power to regulate stocks of raw jute. :-

1 (1) The Jute Commissioner may, by order.

(i) specify the maximum or minimum quantity of raw jute or any specified variety of jute which a manufacturer shall purchase from any specified person or agency or otherwise, during any specified period

(ii) specify the maximum or minimum quantity of raw jute which a jute manufacturer

(2) In issuing an order under Sub-clause (1), the Jute Commissioner shall have regard to :

(a) the quantity of raw jute used by the manufacturer during the pervious year:

(b) the maximum quantity of raw jute which the manufacturer has had in his possession during the period of six months immediately proceeding the date of the order.

(c) the capacity of the manufacturer to manufacture jute textiles;

(d) the need to maintain stability in the prices of raw jute;

(e) the availability of raw jute for manufacture of jute textiles;

(f) clause 4 of the principal Order; and

(g) any other factor which in the opinion of the Jute Commissioner, is relevant for the purpose"

1. Order 5 shall be substituted by Jute and Jute Textiles Control (Amendment) Order, 2002. Gaz. of India, Exty., Pt. II-Sec. 3(ii), No. 944, dt. 1.11.2002, p. 2.

6. Power to inspect quality :-

The Jute Commissioner, may, with a view to ensuring quality of jute textiles in the market and to protect the interests of the end-user, require any person holding stock of jute textiles,

(a) to deliver samples for inspection at a place and time so fixed by a general or specific order;

(b) to permit any official of the Central or State Government or any other autonomous body authorised by the Jute Commissioner to draw such samples for testing the same;

(c) dispose of such stock(s) not conforming to specifications in such a manner as may be specified by him: Provided that a reasonable opportunity is afforded to such person before passing an order under clause(c).

7. Power to call for information and to inspect, search and seizure :-

(1) The Jute Commissioner or any officer duly authorised by him in this behalf 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 person or any other person;

(b) inspect or cause to be inspected or seize or cause to be seized books of accounts or other documents in the possession or under the control of any person which in his opinion shall be useful for or relevant to, any proceedings in respect of any contravention of this Order and allow the person from whose custody such books of accounts or other documents are seized to make copies thereof or to take extracts therefrom in the presence of the officer having the custody of such books of accounts or other documents;

(c) enter and search any premises and seize and raw jute or jute textiles in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed and thereafter take or authorise the taking of all measures necessary for securing the production of stocks so seized, in a court for their safe custody, pending such production.

(2) Every person who is required to give any information or furnish sample or produce any book or other documents under sub-clauses (a) and (b) of clause (1) shall comply with such requisition or direction.

(3) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, so far as may be, apply

to searches and seizures under this paragraph.

8. Appeal :-

Any person aggrieved by an order of the Jute Commissioner made under this Order may prefer an appeal to the Central Government within thirty days of the date of communication to him of such order and the Central Government may after giving the applicant an opportunity of being heard, pass such orders on the appeal as it thinks fit and the decision of the Central Government thereon shall be final: Provided that the Central Government may entertain an appeal after the expiry of said period of thirty days, if the appellant satisfies the Central Government that he had sufficient cause for not preferring the appeal within the specified time.

9. Penalty :-

Any person who contravenes any of the provisions of this Order or fails to carry out any direction or requisition made thereunder shall be punishable under Sec. 7 of the Essential Commodities Act, 1955.

10. Power to authorise sub-ordinate officers :-

Subject to the prior approval of the Central Government, the Jute Commissioner may, by a general or special order in writing, authorise any officer of the Central Government or a State Government to exercise on his behalf, all or any of his functions and powers under this Order.

11. Repeal and Saving :-

The Jute Textiles (Control) Order, 1956 and the Jute (Licensing and Control) Order, 1961 are hereby repealed: Provided that any order made, notification issued, right accrued, penalty imposed or anything done or any action taken or purported to have been done or taken under or in pursuance of the said Orders shall be deemed to have been made, issued, accrued, imposed or done or taken under or in pursuance of the corresponding provisions of this Order.