

JUTE PACKAGING MATERIALS (COMPULSORY USE IN PACKING COMMODITIES) RULES, 1987

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JUTE PACKAGING MATERIALS (COMPULSORY USE IN PACKING COMMODITIES) RULES, 1987

In exercise of the powers conferred by sub-section (1) of Section 17 of the Jute Packaging Materials (Compulsory Use in Packing Commodities) Act, 1987 (10 of 1987), the Central Government hereby makes the following rules, namely :-

1. Short title and commencement :-

(1) These rules may be called the Jute Packaging Materials (Compulsory Use in Packing Commodities) Rules, 1987.

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

2. Definition :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Jute Packaging Materials (Compulsory Use in Packing Commodities) Act, 1987 (10 of 1987) ;

(b) "Committee" means the Standing Advisory Committee constituted under Section 4 ;

(c) "Competent authority" means a State Government or any officer or authority subordinate to the Central Government or a State Government as may be specified by the Central Government under

Section 13 ;

(d) "Form" means a form appended to these rules;

(e) "Producer" means the producer or manufacturer of any commodity;

(f) "Sample" means a sample of any jute packaging material taken under the provisions of the Act or under these rules ;

(g) "Section" means a section of the Act ; All words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Establishment and constitution of the Committee :-

(1) The Committee to be constituted under sub-section (1) of Section 4 shall consist of a Chairman and such other members, not exceeding twenty, as may be nominated by the Central Government.

(2) The members of the Committee shall hold office for a term of three years.

(3) A casual vacancy occurring in the office of the Chairman or any other member of the Committee by death, resignation or otherwise shall be filled by fresh nomination and the person nominated to fill that vacancy shall hold office only for the remainder of the term for which the Chairman or, as the case may be, the member whose place he takes, was nominated.

(4) The Chairman of the Committee shall preside at its meetings : Provided that when the Chairman is absent or is unable to attend any meeting of the Committee, any other member of the Committee as may be nominated in writing by him for the purpose shall preside over the meeting of the Committee.

(5) The Committee shall meet at such place and at such time as may be determined by the Chairman : Provided that the Committee shall meet at least once a year to review the commodities or class of commodities, or percentage thereof, required to be packed in jute packaging material under Section 3 .

4. Maintenance of register and submission of return :-

Every producer, who is required under Section 3 to use jute packaging material for packing commodities shall maintain a

register in Form I and submit a return in Form II within fifteen days of the following month to the Competent authority having jurisdiction in respect of the commodity (Commodities).

5. Power to call for information and samples :-

(1) Every producer, who is required under Section 3 to use jute packaging material for packing of commodities, shall furnish to the Competent authority when so required by an order or orders issued to him) such information in his possession with respect to any commodity or class of commodities or percentage thereof which requires such packing in such form and within such period as may be specified in such order or orders. Every such producer shall also furnish samples of jute packaging material for inspection at such place or places and within such period as may be specified in the said order or orders. The Competent authority may call for the submission of the return from time to time by every such producer within the date specified by him.

(2) If any producer fails to furnish the return referred to in sub-rule (1) within the specified date or furnishes incorrect or defective return, the Competent authority may serve a notice on the producer calling upon him to produce all or any of his accounts relating to commodities produced or manufactured in and removed from his factory.

(3) If the producer, after furnishing a return discovers any omission or wrong statement therein, he may with the permission of the Competent authority make appropriate changes in the return and re-submit it any time before he receives the notice under sub-rule (2).

6. Powers of the Competent authority to inspect the records of the producer :-

Every producer shall permit the Competent authority to enter at all reasonable times) any places, premises or vehicle where any commodity packed in jute packaging material is stored or kept for supply or distribution, for inspection and collection of information relating thereto and to inspect the books of accounts and records maintained by him, for the purpose of verifying the correctness of the information or returns furnished by him and securing compliance with the order issued under Section 3 .

7. Period to be considered for verifying compliance with order issued under Section 3 :-

Where an order has been issued by the Central Government under Section 3 requiring any commodity, class of commodities or any percentage thereof to be packed in jute packaging material for their supply or distribution, the compliance with that order shall be determined with reference to use of specified percentage of jute packaging material in a period of one calendar month.

8. Use of new and unused jute packaging materials :-

In any order to be issued under Section 3 , it shall be competent for the Central Government fo indicate that only new and unused jute packaging materials shall be used by the producer.