
**TEXTILE MACHINERY (PRODUCTION AND DISTRIBUTION)
CONTROL, ORDER, 1962**

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Certificate of registration
- 3A. Books of accounts and records and returns
4. Power to direct sale
5. Power to inspect, etc
6. Delegation of powers
7. Appeal

SCHEDULE 1 :- SCHEDULE

SCHEDULE 2 :- SCHEDULE

**TEXTILE MACHINERY (PRODUCTION AND DISTRIBUTION)
CONTROL, ORDER, 1962**

S.O. 3219, dated the 19th October, 1962* .-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, extent and commencement :-

(1) This Order may be called the Textile Machinery (Production and Distribution) Control Order, 1962.

(2) It extends ¹to the whole of India ² [***]

(3) It shall come into force at once.

1. Extended to Union Territory of Goa, Daman and Diu vide S.O. 2227, dated 18th July, 1965 and to Union Territory of Dadra and Nagar Havell uide S.O. 3567, dated 4th November, 1965.

2. Omitted by S.O. 785, dated the 6th February, 1971.

2. Definitions :-

In this Order, unless the context otherwise requires,-

(a) "dealer" means a person carrying on the business of selling items of machinery:

(b) "machinery" means any textile machinery specified in Sch. I to this Order,

(c) "manufacturer" means a manufacturer of machinery;

1 [(d) "Textile Commissioner" means the Textile Commissioner, appointed by the Central Government and includes such Additional Textile Commissioner, Joint

Textile Commissioner, Industrial Adviser and ex-officio Joint Textile Commissioner or Deputy Textile Commissioner as may be appointed by the Central Government.]

1. Subs S. O.2637. dated the 18th August 1966

3. Certificate of registration :-

Every manufacturer and every dealer shall, within forty-five days from the date on which this order comes into force or, in the case of a manufacturer or dealer commencing business, after that date, within forty-five days of the commencement of such business, apply to the Textile Commissioner in Form "A" specified in Sch. II to this Order for the grant of a registration certificate in Form "B" of the said Schedule: **1**[Provided that in the case of the State of Jammu and Kashmir, every such manufacturer or dealer shall apply to the Textile Commissioner within a period of hundred days from the date of commencement of the Textile Machinery (Production and Distribution) Control Amendment Order, 1971:] **2** [Provided further that] the Textile Commissioner may grant such certificate to any, manufacturer or dealer after the expiry of the said period on payment of such fee as may be prescribed by the Central Government from time to time.

1. Ins. by S.O. 785, dated the 6th February, 1971.

2. Subs. by S.O. 785.

3A. Books of accounts and records and returns :-

Every manufacturer or every dealer shall keep such books of accounts and records relating to the business carried on by him and shall furnish such return of information, and at such intervals, as the Textile Commissioner may direct.]

4. Power to direct sale :-

(1) The Textile Commissioner may, with a view to securing the equitable distribution of machinery, issue directions in writing to any manufacturer or dealer holding stock of machinery to sell or deliver specified quantities of machinery to specified persons, and

the manufacturer or the dealer, as the case may be, shall comply with any such direction,

(2) In issuing a direction under sub-clause (1) the Textile Commissioner shall have regard to the following matters, namely:

(a) the requirements of the various categories of users of the machinery such as owners of factories engaged in the production of yarn, persons holding licences for the establishment of such factories or persons holding licences for the expansion of the capacity of their existing factories;

(b) the availability of the machinery in the country;

(c) the need for securing adequate production of cloth and yam.

5. Power to inspect, etc :-

(1) The Textile Commissioner may, with a view to securing compliance with this Order,-

(a) require any person in possession of machinery to give any information in respect of such machinery;

(b) inspect or cause to be inspected any books, accounts or other documents in respect of the machinery belonging to or under the control of the person in possession of such machinery;

(c) enter and search any premises and seize any machinery in respect of which he has reason to believe that a contravention of this Order has been committed.

(2) The provisions of Secs. 102 and 103 of the Code of Criminal Procedure, 1898, ¹

(3) Every person who is required to give any information or produce any books or other documents under sub-clause (1) shall comply with such requisition.

1. Now. Sec. 100 of the Code of Criminal Procedure, 1973 (1 of 1974).

6. Delegation of powers :-

The Textile Commissioner may, by general or special order in writing, and with the approval of the Central Government, authorise any officer to exercise on his behalf all or any of his functions and powers under this Order.

7. Appeal :-

Any person aggrieved by any order of the Textile Commissioner made under this Order may prefer an appeal to the Central Government, within the thirty days of the date of communication of such order and decision of the Central Government thereon shall be final.]

SCHEDULE 1

SCHEDULE

[See Cl. 2(b)] 1. Blow Room machinery, 2. Carding Engines. 3. Draw Frames. 4. Speed Frames. 5. Ring Frames. 6. Winding machines. 7. Doubling machines. 8. Reeling machines. 9. Bundling machine. 10. Baling machines. 11. Powerlooms. 12. Side frames of powerlooms. 13. Spare parts of powerlooms and ring frames.

SCHEDULE 2

SCHEDULE