

TEXTILES (PRODUCTION BY HANDLOOMS) CONTROL ORDER, 1956

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Registration certificate
4. Application for registration certificate
5. Form of certificate
6. Renewal of certificate
- 6A. 6A
7. Revocation of certificate
8. Power to enter etc.
9. Requisition to be complied with
10. Repeal and savings

TEXTILES (PRODUCTION BY HANDLOOMS) CONTROL ORDER, 1956

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 Textiles (Production by Handlooms) Control Order, 1956.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force at once.

2. Definitions :-

In this Order, unless there is anything repugnant in the subject or context,-

- (a) "form" means a form appended to this Order;
- (b) "handloom" means a loom which is actually in use or is capable of being used for the manufacture of textiles made wholly or partly from cotton, woollen, or man-made cellulosic or non-cellulosic filament yarn or silk yarn or man-made cellulosic filament yarn or

silk yarn and which is not worked by power, as defined in Cl. (g) of Section 2 of the Factories Act, 1948 , and includes a semi-automatic handloom;

(c) "Textile Commissioner" shall, have the same meaning as assigned to it in the Cotton Textiles (Control) Order, 1948 ;

(d) "registering authority" means the Textile Commissioner, Bombay, and includes any officer authorized in writing in this behalf by the Textile Commissioner to perform all or any of the functions conferred on the registering authority by this Order.

3. Registration certificate :-

No person shall, after the commencement of this Order, use or have in his possession any handloom unless it is registered and the registration certificate issued in respect thereof is in force.

4. Application for registration certificate :-

(1) Every person in possession of a handloom working on cotton yarn shall, within thirty days from the commencement of this Order, or: such further period, not exceeding beyond 31st March, 1959 as the registering authority may grant in any case, apply to the registering authority for the grant of a registration certificate in respect of such handloom.

(1A)'Every person who, on the 1st December, 1961, is in possession of a handloom working on cotton, woollen, man-made cellulosic or non-cellulosic spun fibre yarn or man-made cellulosic or non-cellulosic spun filament yarn shall apply to the registering authority on or before the 31st March, 1962 or within such further period as that authority may grant in any case for the grant of a registration certificate in respect of the handloom.

(2) Every person who after such commencement comes into possession of a handloom shall, within 30 days from the date of such coming into possession, apply to the registering authority for the grant of a registration certificate in respect of such handloom.

(3) An application for the grant of a registration certificate under this clause shall be made in Form A.

(4) No fee shall be payable in respect of an application for the grant of a registration certificate.

5. Form of certificate :-

(1) On receipt of an application for the grant of registration certificate, the registering authority shall, after making such inquiry as it thinks fit, register the handloom and grant to the applicant a registration certificate in Form B; and every such -registration certificate shall show the distinguishing assigned number to every handloom covered thereby.

(2) Every person to whom a registration certificate has been granted shall take steps to mark on such handloom the distinguishing number assigned to it under sub-clause (1).

6. Renewal of certificate :-

(1) Every registration certificate granted or renewed under this Order on or before the 31st March, 1960, shall be valid up to the said date and shall thereafter be renewable for one term at a time.

(2) Every registration certificate and every renewal thereof granted after the 31st March, 1960 shall be valid for a term if granted at the commencement of any term, but if granted during the currency of any term, shall be valid only for the remainder of the term.

(3) An application for renewal of a registration certificate shall be made in Form C and, unless sufficient reasons are shown to the satisfaction of the registering authority, it shall be made within a period of thirty days before the date of expiry of the registration certificate. Explanation.-In this clause, "term" shall mean a period of three years, the first term commencing on the 1st April, 1960.

6A. 6A :-

If a certificate granted under Cl. 5 is lost or destroyed, the registering authority may after making such enquiry as it may deem fit issue a duplicate certificate.

7. Revocation of certificate :-

If the registering authority is satisfied, either on a reference made to it in this behalf or otherwise, that any person to whom a registration certificate has been granted, supplied incorrect information for the purposes of obtaining such certificate, it may, without prejudice to any other action which it may take against such person, revoke such registration certificate.

8. Power to enter etc. :-

Any officer authorized in this behalf by the registering authority in writing may, with a view to securing compliance with this Order,-

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

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

(c) enter and search any premises at any time between sunrise and sunset and seize any handloom in respect of which he has reason to believe that a contravention of this Order has been committed.

9. Requisition to be complied with :-

Every person required to furnish any information under Cl. 8 shall be bound to comply with such requisition within such time as may be specified in the requisition.

10. Repeal and savings :-

Any Order made or deemed to be made under the Essential Commodities Act, 1955, and in force in any State shall, in so far as such Order relates to any of the matters provided for in this Order, stand repealed, except as respects things done or omitted to be done.