
**TEXTILES (PRODUCTION BY KNITTING, EMBROIDERY,
LACE-MAKING AND PRINTING MACHINES) CONTROL
ORDER, 1963**

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**TEXTILES (PRODUCTION BY KNITTING, EMBROIDERY,
LACE-MAKING AND PRINTING MACHINES) CONTROL
ORDER, 1963**

S.O. 3396, dated the 29th November, 1963 1. -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 extent :-

(1) This Order may be called the Textiles (Production by Knitting, Embroidery, Lace-making and Printing Machines) Control Order, 1963.

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

1. Extended to Union Territory of Goa, Daman and Diu vide S.O. 2227, dated 1st July, 1965 and to Union Territory of Dadra and

Nagar Havell vide S.O. 3567, dated 4th November. 1965.

2. Omitted by S.O. 2589, dated 30th August, 1969.

2. Definitions :-

In this Order, unless the context otherwise requires,-

(a) "embroidery machine" means a machine worked by power and used for decorating the textile fabrics with designs formed by any type of thread by the help of needles; but does not include-sewing type of embroidery machine;

(b) "form" means a form appended to this Order;

(c) "knitting machine" means a warp-knitting machine and includes a machine commonly known as Raschael Knitting Machine;

(d) "lace-making machine" means a machine worked by power for the production of fabrics of open mesh or net formed by crossing and inter-twining threads;

(e) "power" has the same meaning as in Cl. (g) of Section 2 of the Factories Act, 1948 ;

(f) "printing machine" means a machine worked by power and used for printing of cloth by means of engraved rollers or screens;

¹[(g) "Textile Commissioner" means the Textile Commissioner, appointed by the Central Government and includes such Additional Textile Commissioner, Joint Textile Commissioner, Industrial Additional Textile Commissioner, Joint Textile Commissioner, Industrial Adviser, an ex-officio Joint Textile Commissioner or Deputy Textile Commissioner as may be appointed by the Central Government]. ² [Explanation.-For the purpose of this sub-clause, "cloth" has the same meaning as in sub-clause (a) of Cl. 3 of the Cotton Textiles (Control) Order, 1948 , sub-clause (b) of Cl. 2 of the Art Silk Textiles (Production and Distribution) Control Order, 1962 and sub-clause (e) of Cl. 2 of the Woollen Textiles (Production and Distribution Control) Order, 1962].

1. Subs. by S.O. 2638, dated 18th August, 1966.

2. Subs. by S.O. 3166, dated 21st July, 1971.

3. Owner of existing embroidery, knitting, lace-making, or printing machines to obtain permits :-

(1) The owner of every embroidery machine, lace-making machine, knitting machine or printing machine ¹[used for printing of cloth as

defined in sub-clause (a) of Cl. (3) of the Cotton Textiles (Control) Order, 1948] which ²[Provided that in the case of the State of Jammu and Kashmir, the owner of every such machine shall apply to the Textile Commissioner for the grant of a permit for the working of each such machine within a period of hundred days from the date of commencement of the Textile (Production by Knitting, Embroidery, Lace-making and Printing Machines) Control Amendment Order, 1971.]

³[(1-A) The owner of every printing machine used for printing of cloth as defined in sub-clause (b) of Cl. 2 of the Art Silk Textiles (Production and Distribution) Control Order, 1962 and sub-clause (e) of Cl. 2 of the Woollen Textiles (Production and Distribution) Control Order, 1962, which was installed at any time before the commencement of this Order and is continued to be so installed at the commencement of the Textiles (Production by Knitting Embroidery, Lace-making and Printing Machines) Control Amendment Order, 1973, shall, within 120 days of the commencement of the Textiles (Production by Knitting, Embroidery, Lace-making and Printing Machines) Control Amendment Order, 1973, apply in Form A or as near thereto, to the Textile Commissioner for the grant of a permit for the working of each such machine.]

(2) On receipt of such application and after making such enquiries as he deems proper, the Textile Commissioner may grant a permit in Form B or as near thereto.

⁴[(3) Where any such person applies for the grant of a permit after the expiry of the time-limit specified in sub-clause (1), ³ [or sub-clause (1-A)] the Textile Commissioner, if he is satisfied that such person had sufficient cause for the delay in making the application, may, after making such enquiries as he deems proper and on payment by the applicant of a fee of Rs. 100 (one hundred) for each such machine, grant to the applicant a permit in Form B or as near thereto].

(4) The Textile Commissioner may, for reasons to be recorded, refuse to grant a permit to any applicant and shall in such case, furnish him with a copy of the order so passed.

1. Ins. by S.O. 2533, dated 13th August, 1973.

2. Added by S.O. 784, dated the 6th February, 1971.

3. Ins. by S.O. 2533, dated the 13th August, 1973.

4. Subs. by S.O. 374, dated the 23rd January, 1967, published in the Gazette of India, Pt. II, Sec. 3 (iii), dated the 4th February, 1967.

4. Embroidery, 4 [knitting machine or lace-making machine] not to be acquired or installed except under a permit :-

(1) No person shall, after the commencement of this Order, acquire or install any embroidery machine, ¹ [knitting machine or lace-making machine] except under and in accordance with a permit issued in this behalf by the Textile Commissioner and no such machine in respect of which a permit has not been issued shall be worked.

(2) Any person desiring to acquire or install any such machine after such commencement may make an application to the Textile Commissioner in Form C or as near thereto for the grant of a permit for such acquisition or installation.

(3) On receipt of such application and after making such enquiries as he deems proper the Textile Commissioner may grant a permit in Form D or as near thereto.

(4) The Textile Commissioner may, for reasons to be recorded, refuse to grant a permit to any applicant, and in such case, furnish him with a copy of the order so passed.

1. Subs. by S.O. 3166, dated the 21st July, 1971.

4A. Registration of printing machine :-

(1). :-

(1) The owner of every printing machine installed on or after the commencement of the Textile (Production by Knitting, Embroidery Lace-making and Printing Machines) [Control (Second

¹[(1 -A) The owner of every printing machine installed on or after the commencement of this Order but before the commencement of the Textiles (Production by Knitting Embroidery, Lace-making and Printing Machines) Control (Second Amendment) Order, 1971, shall within 120 days of the commencement of the Textiles (Production by Knitting, Embroidery, Lace-making and Printing Machines) Control Amendment Order, 1973, apply to the Textile Commissioner in Form E for the grant of a registration certificate in respect of each such machine.]

(2) On receipt of such application, the Textile Commissioner may, after making such enquiries as he deems proper, register the printing machine and issue to the applicant a registration certificate in Form F.

(3) Where a person applies for a registration certificate after the expiry of the period specified in sub-clause (1), ² [or sub-clause (1-A)] the Textile Commissioner, if he is satisfied that the applicant had sufficient cause for not applying in time, may after making such enquiries as he deems proper and on payment by the applicant of a late fee of one hundred rupees for each printing machine, register the printing machine and issue to the applicant a registration certificate in Form F.]

1. Subs. by S.O. 1185, dated the 2nd April, 1973.

2. Ins. by 2533, dated the 13th August, 1973.

5. Revocation of permit or cancellation of registration certificate :-

If the Textile Commissioner is satisfied either on a reference made to him in this behalf or otherwise that any person to whom a permit has been granted under Cl. 3 or Cl. 4 or to whom a registration certificate has been issued under Cl. 4-A has supplied incorrect information for the purpose of obtaining such permit or registration certificate, as the case may be, he may, without prejudice to any other action which may be taken against such person under any law, after giving an opportunity to such person to be heard in the matter, revoke such permit, or cancel such registration certificate, by an order in writing; Provided that the Textile Commissioner may, on sufficient cause being shown, cancel any such order.]

6. Embroidery, knitting, lace-making or printing machine not to be worked without valid permit :-

(1) No person shall work or cause to be worked any embroidery machine, -[knitting machine or lace-making machine]-

(a) which was installed at any time before the commencement of this Order and is continued to be so installed at such commencement and in respect of which an application for a permit has not been made under Cl. 3 or having been made, the application has been rejected; or

(b) which he is not entitled to work under Cl. 4; or

(c) for which a permit having been granted under Cl. 3 or Cl. 4 has

been revoked under Cl. 5.

¹[(1-A) No person shall work or cause to be worked any printing machine-

(a) which was installed at any time before the commencement of ²[this Order] and in respect of which an application for a permit has not been made under Cl. 3 or having been made the application has been rejected; or

(b) which he is not entitled to work under Cl. 4-A; or

³[(c) for which the registration certificate issued under Cl. 4-A has been cancelled under Cl. 5.]

(2) The Textile Commissioner may with a view to secure compliance with the provision of sub-clause (1) ⁴ [or sub-clause I-A] take action to seal the embroidery machine, knitting machine, lace-making machine or printing machine, as the case may be.

1. Ins. by S.O. 3166.

2. Ins. by S.O. 2533, dated the 13th August, 1973.

3. Subs. by S.O. 1185, dated the 2nd April, 1973.

4. Ins. by S.O. 3166, dated the 21st July, 1971.

7. Restriction on the disposal of embroidery, knitting or printing machine :-

No person shall sell or otherwise dispose of any embroidery machine, knitting machine, lace-making machine or printing machine or transfer any such machine already installed from the location to another, except under the authority of an order in writing of the Textile Commissioner.

7A. Power of Textile Commissioner to grant permit in special cases :-

Where any person-

¹ [(i) has acquired or installed any embroidery machine, knitting machine or lace-making machine without complying with the provisions of sub-clause (1) of Cl. 4; or]

(ii) has sold or otherwise disposed of any embroidery machine, knitting machine, lace-making machine or printing machine or transferred any such machine already installed from one location to another without complying with the provisions of Cl. 7, the Textile Commissioner, may, if he is satisfied after making such inquiry as he considers proper, that such person has sufficient cause for so

doing, on payment by such person of a fee of Rs. 200 (rupees two hundred) for each such machine, issue to him a permit in Form D or as near thereto in respect of a case referred to in sub-clause (i) or an Order in writing in respect of a case referred to in sub-clause (ii) to that effect]

1. Subs. by S.O. 431, dated 4th February, 1978.

8. Textile Commissioner to have -regard to certain matters in granting permit, etc :-

In granting or refusing a permit under Cl. 3 or Cl. 4 ¹ [in granting, a registration certificate under Cl. 4-A] and in making an order under Cl. 7 the Textile Commissioner shall have regard to the following matters, namely :

(i) the number of embroidery machines, knitting machines, lace-making machines or printing machines, as the case may be, already installed or working in the local area;

(ii) whether such machines proposed to be installed are for the production of fabrics, for domestic sale or for export;

(iii) the demand for the fabric produced by such machines; and

(iv) the need for encouraging the production of such fabrics for export.

1. Ins. by S.O. 3166, dated the 21st July, 1971.

9. Power to enter, search, etc :-

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

(a) require any person in possession of any embroidery machine, knitting machine, lace-making machine or printing machine to give any information in respect of such machine or machines;

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

(c) enter and search any premises where any such machine or machines is or are installed and seize any such machine or machines in respect of which he has

(2) Every person who is required to give any information under this clause shall comply with such requisition.

(3) The provisions of Secs. 102 and S.103 of the Code of Criminal Procedure, 1898¹ relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

1. Now Sec. 100 of the Code of Criminal Procedure, 1973 (2 of 1974).

10. Appeal :-

Any person aggrieved by any order of the Textile Commissioner made under this Order may prefer an appeal to the Central Government within 30 days of the date of communication of such order and the decision of the Central Government thereon shall be final.

11. Delegation of powers :-

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