

**TEXTILES (PRODUCTION BY POWERLOOM) CONTROL  
ORDER, 1956**

CONTENTS

1. 1
2. 2
3. 3
4. 4
5. 5
6. 6
- 6A. 6A
- 6B. 6B
- 6C. 6C
7. 7
- 7A. 7A
8. 8
- 8A. 8A
9. 9
10. 10
11. 11
12. Appeal

**TEXTILES (PRODUCTION BY POWERLOOM) CONTROL  
ORDER, 1956**

S.R.O. 3151, dated the 19th December, 1956 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. 1 :-**

(1) This Order may be called the Textiles (Production by Powerloom) Control Order, 1956.

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

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

**2. 2 :-**

(a) In this Order, unless the context otherwise requires,-  
"powerloom" means a loom which if worked by power as defined in

Cl. (g) of Section 2 of the Factories Act, 1948 and which is used or may be used for weaving cloth wholly or partly out of woollen yarn, or man-made cellulosic or non-cellulosic spun fibre or such filament yarn or silk yam.

**1** [(b) existing powerloom-

(i) as regards the whole of India except the State of Jammu and Kashmir means, in relation to a powerloom which is used or may be used for weaving cloth wholly or partly out of woollen yarn or man-made cellulosic or non-cellulosic spun fibre yarn or such filament yarn, a powerloom which was in existence on the 19th December, 1956, and continues to be in existence at the commencement of the Textiles (Production by Powerloom) Control Amendment Order, 1973, and in relation to a powerloom which is used or may be used for weaving cloth out of silk yarn a power loom which was in existence on the 21st September, 1959, and continues to be in existence at such commencement, and

(ii) as regards the State of Jammu and Kashmir, means, in relation to a powerloom which is used or may be used for weaving cloth wholly or partly out of woollen yam or man-made cellulosic or non-cellulosic spun fibre yam or such filament yam or silk yam, a powerloom which is in existence at the commencement of the Textiles (Production by Powerloom) Control (First Amendment) Order, 1973.]

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

**2** [(d) "Textile Commissioner" means the Textile Commissioner appointed by the Central Government and includes any Additional Textile Commissioner, Joint Textile Commissioner, Industrial Adviser and ex officio Joint Textile Commissioner or Deputy Textile Commissioner, appointed by the Central Government]

1. Subs. by S.O. 2535, dated the 28th August, 1973.

2. Subs. by S.O. 3616, dated 23rd November, 1966.

**3. 3 :-**

The owner of every such existing powerloom shall, within hundred days from the commencement of the Textiles (Production by Powerloom) Control (First Amendment) Order, 1973, apply to the Textile Commissioner in Form .A appended to this Order for the grant of a registration certificate in respect of each such powerloom : Provided that nothing in this clause shall apply to any powerloom

existing at the commencement of the Textiles (Production by Powerloom) Control (First Amendment) Order, 1973, with respect to which any registration certificate has been granted under this Order as in force immediately before the 22nd June, 1961.

**4. 4 :-**

On receipt of the application for a registration certificate under Cl. 3, the Textile Commissioner shall, after making such inquiry as he may consider necessary register the powerloom and issue to the applicant a registration certificate in Form B appended to this Order.

**5. 5 :-**

Where the owner applies for a registration certificate after the date specified in Cl. 3, the Textile Commissioner, if he is satisfied that the owner had sufficient cause for not applying in time, may, after making such inquiry as he may consider necessary, on payment of a late fee of ten rupees per loom register the powerlooms and issue to the owner a registration certificate in accordance with Cl. 4. Note.-The fee of ten rupees per loom referred to in this clause is payable in any Government treasury under the head : "T.-Remittances Exchange Account between Deputy Director of Audit (F.R.S.C.S.M.) Bombay and A.G. (of the State concerned) and to Union Territory of Dadra and Nagar Havell vide S.O. 3567, dated 4th November, 1965. XXIX-Industries Misc. Receipts of the Textile Commissioner, Government of India, Bombay-Adjustable in the books of D.A.G.C.W.M., Bombay." The receipted challan shall be attached to the application for registration.]

**6. 6 :-**

<sup>1</sup>[(1)] No person shall acquire or instal any powerloom except with the permission in writing of the Textile Commissioner and no such loom in respect of which such permission has not been obtained shall be worked : <sup>2</sup>[Provided that while granting such permission the Textile Commissioner may charge a fee at the rate of <sup>3</sup>[Rs. 250 (rupees two hundred and fifty only)] per powerloom : Provided further that no such fee shall be charged in the case of a change in the location of a powerloom already installed.

<sup>4</sup> [(2) While granting the permission under sub-clause (1), the Textile Commissioner shall specify-

(a) the type of yarn to be used on such powerloom, and

(b) the reed, space of the loom to be acquired or installed.]

1. Renumbered as sub-clause (1) by S. O. 693, dated the 3rd January, 1972.

2. Ins. by S.O. 1216, dated the 12th April, 1966, published in the Gazette of India, Pt. II, Sec. 3 (ii), dated the 23rd April, 1966.

3. Subs. by S.O. 1259, dated 18th March, 1986.

4. Ins. by S.O. 693, dated the 3rd January, 1972.

**6A. 6A :-**

<sup>1</sup>[No person, whether by himself or jointly with others, except with the previous permission of Textile Commissioner, shall weave cloth out of any yarn-

(a) in the case of a powerloom existing at the commencement of the Textiles (Production by Powerloom) Control (First Amendment) Order, 1972, other than the yarn on which the powerloom was working immediately before such commencement; and

(b) in any other case, other than the yarn specified under sub-clause (2) of Cl. 6 by the Textile Commissioner.]: Provided that it shall be lawful for a person who does not possess or have under his control more than five looms on the date of this Order and had not more than five powerlooms in the possession or under the control on the 31st July, 1956, to weave cloth out of any type of yarn which he had been using on such looms during the period of one year ending on the 31st July, 1956. Explanation I.-For the purposes of this clause "yarn" shall mean woollen yarn, man-made cellulosic or non-cellulosic spun fibre yarn, such filament yarn or silk yarn. <sup>2</sup> [Explanation 2.-A certificate issued by the Textile Commissioner or the State Government or any officer authorized in writing by the Textile Commissioner or the State Government in Form C as regards the types of yarn used on the powerlooms shall be considered sufficient proof for the purposes of this clause.]

1. Subs. by S.O. 693.

2. Subs. by S.O. 693, dated the 3rd January, 1972.

**6B. 6B :-**

]

**6C. 6C :-**

No producer who produces cloth on a powerloom shall effect or cause to be effected any alteration or conversion of reed, space of any loom in his possession except with the permission in writing of the Textile Commissioner.

**7. 7 :-**

In granting or refusing permission under <sup>1</sup> [Cls. 6, 6-A] and 6-C the Textile Commissioner shall have regard to the following matter, namely:

(a) the number of powerlooms already installed or working in the local area;

(b) whether the undertaking is economic or uneconomic;

(c) whether the powerlooms proposed to be acquired or installed are to be utilized

(d) the availability of woollen yarn, artificial silk yam or staple fibre yarn; (e) the demand for cloth woven out of woollen yam, artificial silk yam or staple fibre yam.

1. Subs. by S.O. 693.

**7A. 7A :-**

(1) No person shall sell or otherwise dispose of any powerlooms or side frames thereof, except with the previous permission in writing, of the Textile Commissioner.

(2) In granting or refusing permission under sub-clause (1), the Textile Commissioner shall have regard to the following matters :

(i) the availability of cloth;

(ii) the capacity of the producing units in the local area;

(iii) the condition and nature of the powerloom or the said frame thereof, and

(iv) any other relevant circumstance.

**8. 8 :-**

(1) Any person having in his possession-

(a) any existing powerloom in respect of which-

(i) no registration certificate has been obtained under this Order, or

(ii) the certificate of registration having been granted under this Order has been revoked; or

(b) any powerloom which he is not entitled to work or cause or permit to be worked under Cl. 6, shall forthwith report the fact to

the Textile Commissioner and shall take such action as to its sealing or storage as the Textile Commissioner may direct.

**8A. 8A :-**

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 <sup>1</sup>[or registration certificate] has been granted under this Order has supplied incorrect information for the purpose of obtaining such permit, [or registration certificate] 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 registration certificate] by an Order in writing and on such revocation the machines to which such permit <sup>2</sup> [or registration certificate] related shall cease to work: Provided that the Textile Commissioner may, on sufficient cause being shown, cancel any such Order of revocation.]

1. Ins. by S.O. 2436, dated the 28th August, 1973.

2. Ins. by S.O. 2436, dated the 28th August, 1973.

**9. 9 :-**

Any officer authorised by the Textile Commissioner in writing may, with a view to securing compliance with this Order,-

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

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

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

**10. 10 :-**

Every person who is required to give any information under Cl. 9 shall comply with such requisition.

**11. 11 :-**

The Textile Commissioner may by a general or special Order in writing authorise any officer to exercise on his behalf or any of his functions and powers under this Order.

**12. Appeal :-**

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