

## **COTTON CONTROL ORDER, 1986**

### CONTENTS

1. Short title, extent and commencement
2. Repeal and saving
3. Definitions
4. Control on stocks
5. Specifications of Cotton Bales
6. Power to call for information and power to inspect, search and seize
7. Delegation of powers
8. Appeal

## **COTTON CONTROL ORDER, 1986**

Notification No. 8/37/85-IPC, dated 2nd April 1980 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, extent and commencement :-**

- (1) This Order may be called the Cotton Control Order, 1986.
- (2) It extends to the whole/of India.
- (3) It shall come into force on the date of its publication in the Official Gazette.

### **2. Repeal and saving :-**

The Cotton Control Order, 1955 is hereby repealed: Provided that any order made, notification issued, licence granted, right accrued, penalty incurred, or anything done or deemed to have been done under the said Order or any corresponding Order in force shall be deemed to have been made, issued, granted, accrued, incurred or done under the corresponding provisions of this Order.

### **3. Definitions :-**

In this Order, unless the context otherwise requires:

- (a) "contract" means a ready delivery contract:
- (b) "cotton" means-

(i) ginned cotton ; and

(ii) ginned and pressed cotton, and includes both Indian and foreign cotton, but excludes all the wastes comprising either 10 per cent. cotton or a mixture of cotton and non-cotton fibres thrown out during various processes in the spinning of cotton ;

(c) "cotton ginning factory" means any place where cotton is ginned or where cotton fibre is separated from cotton seed by any process whatever, involving the use of steam, water or other mechanical power or of electrical power;

(d) "cotton pressing factory" means any place where loose cotton is pressed into bales by the use of steam, water or other mechanical power or of electrical power;

(e) "cotton ginning and pressing factory" means any place where both cotton ginning and cotton pressing processes as defined in sub-clauses (c) and (d) are carried out;

(f) "manufacturer" means a manufacturer of yarn;

(g) "person" includes:-

(i) a Hindu undivided family :

(ii) a company;

(iii) a firm;

(iv) an association of persons or a body of individuals whether incorporated or not; and

(v) every artificial juridical person, not falling within any of the preceding items;

(h) "power" means electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency ;

(i) "ready delivery contract" means a contract which provides for the delivery of goods and the payment of a price therefor, either immediately or within seven days after the date of contract, the period under such contract not being capable of extension by the mutual consent of the parties thereto or otherwise;

(j) an article shall be deemed to be in the possession of a person when it is held on behalf of that person by another person or when

held by that person on behalf of another person ;

(k) the expressions "yarn" and "Textile Commissioner" shall have the same meaning as they have in the Textile (Control) Order, 1986.

#### **4. Control on stocks :-**

(1) The Textile Commissioner may specify the maximum quantity of cotton which a manufacturer may have in his possession at any time : Provided that where a manufacturer has already entered into any contract for the purchase of cotton in excess of the maximum quantity specified, he shall either cancel such contracts or sell and deliver the excess quantity to a person nominated by the Textile Commissioner on such conditions as may be specified.

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

(a) the consumption of cotton by the manufacturer for manufacturing yarn,

(b) the capacity of the manufacturer to manufacture yarn; and

(c) the need for promoting export of cotton textiles.

#### **5. Specifications of Cotton Bales :-**

**<sup>1</sup>** .- Every owner or lessee of a cotton ginning factory or cotton pressing factory or cotton ginning and pressing factory shall pack cotton,-

(a) for the purposes of export only as per the Indian Standards specification number IS : 12171 for cotton bales laid down by the Bureau of Indian Standards;

(b) for the purposes of domestic consumption after observing the following specifications,- Trash Contents; Trash content not to exceed the following limits :- Trash content Tolerance 1. Extra Long Staple 4% 0.5% 2. Long and Superior Medium Staple 6% 1% 3. Medium and short including Bengal Deshi, Assam Commilla, J-34 RG. 7% 1% 4. V.797, Kalagin and C-J-73 10% 1.0% Moisture Content: The moisture content in the pressed bales shall not exceed 9%. Dimension of bales: The present dimension of the banded bales (full pressed) may continue. All bales shall be covered fully (including tops and bottoms) with Hessian. Stitching of tops and bottoms shall be done so that they remain intact even after

transportation. Mass (Weight): The mass (weight) of bale at the time of pressing from July to February shall be 370+5 Kg. and from March to June it shall be 170+7 Kg. Stitching: Hessian to be stitched with 3 ply jute twine and the distance between the two stitches shall not exceed 3 cm. or Hessian on tops and bottoms to be folded and inserted into iron hoops at the time of pressing. Hessian: 50"/11 oz or 270 grams/m.<sup>2</sup> Iron Hoops: 11/19 Gauge, 12.5 mm width.

(1) 3 pieces of 720 cm. length where press has 12 galas ; or

(2) 2 pieces of 720 cm. length and 1 piece of 390 cm. length where press has 10 galas :

Provided that the requirement relating to iron hoops, shall, in the case of presses with 9 galas working on the commencement of the Cotton Control (Amendment) Order, 1991, apply immediately after the expiry of a period of one year of such commencement.

(1) Name of the cotton variety ;

(2) Press mark of the Press in Code including season, place and country;

(3) Press running number and lot number;

(4) Mass (Weight) of the pressed bale.

1. Substituted for " 5 . Packing .-Every owner or lessee of a cotton ginning factory or cotton pressing factory or cotton ginning and pressing factory shall pack cotton only in standard bales containing 170 kgs. of cotton with a tolerance of 5 kgs. on either side: Provided that the Textile Commissioner may, if he is satisfied about the inability of any such owner or lessee to comply with the above direction, permit such owner or lessee to pack cotton in bales containing such quantity as may be specified by him. ", vide " THE COTTON CONTROL ORDER, 1986" Dt.dated the 14th November, 1991 Published in F. No. 7/5.89-CTM, dated the 14th November, 1991, published in the Gazette of India, Extraordinary, Pt. 1, Sec. 1, No. 259, dated 14th November, 1991.

**6. Power to call for information and power to inspect, search and seize :-**

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

(a) require any manufacturer to give any information with respect to quantities and varieties of cotton held in his possession;

(b) inspect, or cause to be inspected any book or other document belonging to the manufacturer;

(c) enter and search or authorise any person to enter and search any premises and seize or authorise any person to seize any article in respect of which he has reason to believe that a contravention of this order has been committed and any other article in the premises which he has reason to believe has been or is intended to be used in connection with such contravention.

(2) Every person who is required to give any information under sub-clause (1) shall comply with such requisition.

**7. Delegation of powers :-**

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

**8. 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 to him of such order and the decision of the Central Government thereon shall be final : Provided that the Central Government may entertain an appeal after the expiry of said period of thirty days if the appellant satisfies the Central Government that he had sufficient cause for not preferring the appeal within the specified time.