

## Madras Cotton Control Rules, 1954

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## Madras Cotton Control Rules, 1954

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### **1. Short title and commencement :-**

- (1) These rules may be called The Madras Cotton Control Rules, 1954.
- (2) They shall come into force at once.

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

- (1) The Madras Cotton Control Rules, 1943, are hereby repealed.
- (2) Notwithstanding such repeal, any order made, notification issued, right accrued, penalty incurred or anything done or deemed to have been done under the said rule shall, so far as maybe, be deemed to have been made, issued, accrued, incurred, or done under the corresponding provisions of these rules.

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

In these rules--

- (1) "Act means the Madras Cotton Control Act, 1952 (Madras Act, XV of 1952).
- (2) "Section" means a section of the Act.
- (3) "Schedule" means any of the schedules to these rules.
- (4) "Authorized person" means a person or agency, including any co-operative society authorised by the Director and any depot belonging to the Department of Agriculture.

### **4. Publicity of notification :-**

The draft of any notification under sub-section (1) of Section 3, shall be published in English in the Fort St. George Gazette and in English and in the regional languages in the Gazette or Gazettes of the district or districts in which the controlled area is situated. The draft notification shall also be printed in the regional language or languages of the district or districts concerned and distributed freely through village officers and a copy of it shall also be affixed in the village chavadi or in any conspicuous place in the village or villages in which the controlled area is situated. The contents of the notification shall also be given publicity by beat of tom-tom in the village or villages concerned.

## **5. Ensuring purity of seeds of standard cotton :-**

(1)

(i) The seeds for sowing standard cotton shall be those obtained from an officer or depot of the Department of Agriculture or from any person or any co-operative society or agency authorized by the Director to sell pure seeds of standard cotton.

(ii) No person or agency other than the authorized person or agency shall sell, distribute or otherwise deal in any manner in seeds of standard cotton variety for sowing purposes in the controlled areas. Notwithstanding anything contained in these rules, persons who are desirous of using their own seeds of standard cotton prescribed for sowing purposes may do so provided they comply with the provisions of purity prescribed by the Director of Agriculture from time to time.

(2)

(i) Every person or agency desirous of dealing in a standard cotton variety for sowing purposes should apply to the Director for the issue of an authorization in the form prescribed in schedule A through the Cotton Specialist, Coimbatore.

(ii) Separate applications should be sent for each standard cotton variety.

(iii) An application for the issue of an authorization or for its renewal should be made to the Director on or before the 1st of May, each year.

(3)

(i) The Director shall, at his discretion, authorize in the form prescribed in Schedule B any person or co-operative society or agency to sell pure seeds of standard cotton. The authorization shall be subject to such terms and conditions as may be prescribed by the Director from time to time. The names and addresses of the authorized persons, co-operative societies and agencies shall be notified by the Director in the Fort St. George Gazette within a month from the date on which the authorization is made.

(ii) Each authorized person should maintain a record of all transactions in the form prescribed in Schedule C.

(iii) The authorization issued should be exhibited in a prominent place in the place of business.

(iv) The authorization is valid from the date of issue upto the 31st May of the year following that date.

(v) An authorization issued under these rules is not transferable.

(vi) In cases where an authorization is lost or destroyed, a duplicate may be issued by the Director on application, if he is satisfied that the loss or destruction of the original was due to circumstances beyond the control of its holder.

(4) Holders of authorizations issued under these rules shall be held fully responsible for defects in packing the seeds, quantity of seeds packed, marking and for use of false weights and scales and their authorizations are liable to be cancelled by the Director in such cases.

(5) The net weight of seeds packed in gunny bags shall be 98 lb. in respect of standard American varieties and 112 lb. in respect of standard Deshi varieties.

(6)

(i) The name of the standard cotton variety and the year of procurement shall be marked distinctly on each container or bag and a label with the seal of the authorized person or co-operative society or agency, as the case may be, the authorization number and name of the variety of standard cotton and the year of procurement should be put inside each container before stitching the bag or packing the container and each bag shall be sealed with the seal of the authorized person or co-operative society or agency as the case may be, after such stitching or packing.

(ii) Such container or bag shall not contain seeds of any other variety of cotton excepting one, the details of which are mentioned both outside and inside the container.

(iii) The authorization of any person, co-operative society or agency contravening the provisions of clauses (i) and

(ii) above is liable to be cancelled by the Director.

## **6. Growing of spurious varieties prohibited :-**

No other variety of standard cotton or any variety of prohibited cotton shall be grown under the name of the variety or varieties of standard cotton permitted to be grown in the controlled area.

## **7. Prevention of sowing of spurious varieties in gaps, etc. :-**

In a field already sown with a standard cotton variety, filling up gaps or resowing shall be done only with the seeds of the original variety of standard cotton and not with any other variety of standard cotton or any variety of prohibited cotton.

## **8. Dispute regarding identity of varieties :-**

Where a dispute arises as to whether a particular sample or specimen of cotton does or does not belong to a variety or varieties of cotton notified under clauses (iii) and (iv) of Section 3 (1) as prohibited variety or varieties of cotton, it shall be decided by the Cotton Specialist and his decision shall be final.

### **9. Mixing of cotton in factories :-**

- (1) The register referred to in Section 4 (2) shall be maintained in the form prescribed in Schedule D.
- (2) An application under Section 4(1) shall be made to the Government through the Director in the form prescribed in Schedule E.
- (3) The permit issued by the Government in the form prescribed in Schedule F should be exhibited in a prominent place in the factory.
- (4) No variety of standard or non-standard or prohibited variety of cotton, which is not included in the permit shall be stored inside the factory.
- (5) For purpose of Section 5 (1) (b) every container of package or bale should bear distinctive marks on the outside of the container to show the name, year of production and quantity of the variety of standard cotton packed.
- (6) No variety of standard or non-standard or prohibited variety of cotton shall be packed in a container other than that which is marked on the outside of the container as required in clause (5) above.

### **10. Complaint and offences :-**

Any complaint for a contravention of Section 5 (1) (a), in respect of cultivation of a prohibited variety of cotton or Section 5 (1) (b) in respect of mixing of one variety of standard with any other standard or non-standard or prohibited variety of cotton or Section 5 (2) (a) in respect of making mixed cottons into fully pressed bales or using the mixed cotton otherwise than in the manufacture of yarn or cloth in that factory, or Section (5) (2) (b) and any complaint for failure to comply with the provisions of sub-section (2) or sub-section (3) of Section 4, or Section 8 (4), and for failure to comply with the provisions of Section 8 (2) (b) or Section 9 (1) in respect of giving all reasonable facilities to the officer authorized under Section 8 (1), or of clauses (i) and (ii) of sub-rule (6) of Rule 5 or sub-rule (6) of Rule 9 in respect of counterfeiting of marks of one variety of standard cotton for any other variety may be made in writing to the Director accompanied by a sample of the cotton complained of.

### **11. Officers authorized to hold enquiries and order confiscation :-**

The officers authorized for purposes of Section 6 and Section 7 (2) to order confiscation or to hold enquiry shall be the Director or the Cotton Specialist, Coimbatore, or any Assistant Cotton Specialist or any District Agricultural Officer of a district or any part of a district.

### **12. Officer authorised to examine cotton :-**

The officers authorized for purposes of Section 8 (1) shall be the Director or the cotton Specialist, Coimbatore, or any Assistant Cotton Specialist or any District Agricultural Officer of a district or any part of a district or any Agricultural Demonstrator of a taluk or any part of a taluk in which the controlled area is situated.

### **13. Cotton Specialist authorized to receive the sealed packages :-**

The Cotton Specialist authorized to receive the sealed packages referred to in Section 8 (2) (a) (ii) shall be the Cotton Specialist, Coimbatore.

### **14. Manner of Sealing :-**

(1)

(i) Each sample of cotton seized shall be placed in suitable container, which, when packed and sealed, will reach the destination safely without tampering, breakage or loss in transit.

(ii) The minimum quantity of cotton other than cotton plants seized to be placed in the container shall weigh a net weight of two pounds in respect of cotton lint, six pounds in respect of cotton kapas, four pounds in respect of cotton seeds and two pounds in respect of cotton waste, the weight to be reckoned in avoirdupois.

(iii) each sample of cotton plants seized shall have twenty-five plants with root, stem branches, leaves, flowers and bolls intact and shall be placed loosely without compressing, in a good gunny bag of suitable size.

(iv) The seized cotton shall be placed in the container with a label showing in ink the name of the owner or tenant or lessee, survey number, village, taluk and district in respect of cotton plants and the name of the factory, its owner or lessee, its situation and such other particulars and distinguishing marks as may be necessary for each identification.

(v) The address of the container shall be clearly written in ink.

(vi) After packing, the seal shall be fastened, in as many places as may be deemed necessary.

(vii) All things seized and required to be sealed under the Act shall be sealed with the seal of the officer sealing the same, and if the owner or person in-charge also wishes to seal then with his seal, he shall be at liberty to do so.

(2)

(i) The sealed packages to be sent to the Cotton Specialist under section 8 (2) (a), (ii) shall be accompanied by a report in the form prescribed in Schedule G in respect of cotton plants and in the form prescribed in Schedule H in respect of cotton kapas or lint or seed or waste according as the cotton to which the report relates, was seized under Section 8 (1) (a) or (b).

(ii) A copy of the report shall be sent by the Officer seizing the cotton to the Director.

(3) The undertaking referred to in Section 8 (2) (b) shall be in the form prescribed in Schedule I.

(4) If in the opinion of the Director, there is evidence of contravention of any of the sections of the Act, the officer seizing such cotton may file a complaint in the form prescribed in Schedule J in the Court of the magistrate referred to in Section II.

**15. Power of entry into factory, etc., for inspection of register :-**

The register maintained by the owner or person in-charge of a factory under Section 4 (2) shall be open to inspection at all reasonable times by the Director or by any person authorized by him under Section 4 (3) and the Director or any person so authorized shall have the power to enter for the purpose of such inspection the factory or any other place in the occupation of the owner or person in-charge of the factory.

**SCHEDULE A**

**SCHEDULE A**

{See Rule 5 (2) (i)}		
1.	Name and address of the applicant.	2. Particulars and location of place/places of business.
3.	N.	

**SCHEDULE B**

**GOVERNMENT OF MADRAS**

{See Rule 5 (3) (i)}		
Authorization No.	Year	Period of validity.
1.	Name and address of the authorize	

**SCHEDULE C**

**SCHEDULE C**

{See Rule 5 (3) (ii)}		
1.	Name of authorized person and places of business.	2. Name and address of owner.
3.	Name .	

**SCHEDULE D**

**SCHEDULE D**

{See Rule 9 (1)}		
1.	Name of the factory and its situation.	2. Name and address of the owner.
3.	Name and address of the less	

**SCHEDULE E**

**SCHEDULE E**

{See Rule 9 (2)}		
1.	Name of the factory and its situation.	2. Name and address of the owner.
3.	Name and address of the lessee (if a	
The Director of Agriculture.		

**SCHEDULE F**

**SCHEDULE F**

{See Rule 9 (3)}		
1.	Permit No.	Year
	Period of validity	2. Name of the factory and its situation

SCHEDULE G  
SCHEDULE G

{See Rule 14 (2) (I)}

1. Description of the land in which the variety of non-standard/prohibited cotton was cultivated-- (a) Dis

SCHEDULE H  
SCHEDULE H

{See Rule 14 (2) (i)}

1. Description of the land, building, vessel or place in which the non-standard cotton or prohibited cotton or mix

SCHEDULE I  
SCHEDULE I

{See Rule 14 (3)}

SCHEDULE - I  
[See Rule 14 (3)]

Undertaking giving by the owner/occupier/tenant/lessee for safe custody of seized cotton plants or kapas or lint or waste seeds under the Madras Cotton Control Rules, 1954

I, son of of village, of taluka of district, hereby agree to produce number of the cotton plants or lb. of kapas or lint or waste or seed entrusted to me this day month year by for safe custody, before any Court when required to do so by the said offer. Station : Signature :  
Date :

SCHEDULE J  
SCHEDULE J

{See Rule 12(4) }

1. Name and address of the reporting officer. 2. Designation. 3. Headquarters. 4. Refe

Date :