

WEST BENGAL JUTE (CONTROL OF PRICES) ACT, 1950

6 of 1950

[15th March, 1950]

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An Act to provide for the control of the price of jute. WHEREAS it is expedient to provide for the control of the price of jute in the manner hereinafter appearing; It is hereby enacted as follows:-

1. Short title, extent and commencement :-

(1) This Act may be called the West Bengal Jute (Control of Prices) Act, 1950.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on the date on which the West Bengal Jute (Control of Prices) Ordinance, 1949, ceases to operate.

2. Definitions :-

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

(a) "jute" means the fibre of any plant belonging to any species of

the genus Corchorus and commonly called pat, kosta, nalia or bimalipatam and includes also the fibre of the plant hibiscus cannabinus, commonly called mesta;

(b) "pucca bale" means a package containing any jute or jute cuttings (together with any waste product or moisture, if any) pressed by any hydraulic or any power-driven machinery and commonly known in the jute trade as a pucca bale;

(c) "raw jute" means jute which has not been subjected to any process of spinning or weaving and includes jute or jute cuttings, whether loose or packed in bales or drums and whether or not containing any waste product or moisture;

(d) "surplus raw jute" means raw jute in the possession or control of any person in excess of the quantity for which he holds for the time being a valid export license under the Imports and Exports (Control) Act, 1947;

(e) "waste product" means strippings, odd filaments or fragments, droppings, sweepings, or other waste product of jute and includes also articles commonly known in the jute trade as hiji biji.

3. Maximum prices :-

(1) The State Government may by notification in the Official Gazette fix the maximum prices which may be charged for pucca bales or for surplus raw jute (not being pucca bales).

(2) Different maximum prices may be fixed under sub-section (1) for pucca bales or surplus raw jute (not being pucca bales), according to the quality, variety or trade description of the jute or jute cuttings contained in such pucca bales or according to the quality, variety or trade description of such surplus raw jute.

4. Sale and purchase to be at prices not exceeding maximum :-

No person shall sell or agree to sell or offer to sell and no person shall buy or agree to buy or offer to buy by any pucca bales or any surplus raw jute (not being pucca bales) or any portion of any surplus raw jute at a price exceeding the maximum price fixed therefor under section 3.

5. Power of State Government to issue directions in respect of surplus raw jute :-

The State Government may by order in writing direct any person

having any surplus raw jute in his possession or control to sell such surplus raw jute or any portion thereof to any specified person or persons at a price not exceeding the maximum price fixed therefor under section 3 and the person so directed shall comply with the order.

6. Power to require information, etc :-

The State Government or any officer authorised in this behalf by the State Government may, with a view to securing compliance with this Act, -

(a) require any person to give any information in his possession with respect to any business in jute carried on by that or any other person;

(b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person relating to any business in jute;

(c) enter and search, or authorise any person to enter and search, any premises, and seize, or authorise any person to seize, any pucca bales or surplus raw jute in respect of which he has reason to believe that a contravention of this Act has been committed.

7. Evasion :-

No person shall, with intent to evade any provision of this Act, refuse to give any information lawfully demanded from him under section 6, or conceal, destroy, mutilate or deface any books or document.

8. Penalties :-

Whoever contravenes any of the provisions of this Act or of any order made thereunder shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

9. Offences by corporations, etc :-

Where a person committing an offence punishable under this Act is a company or an association or a body of persons whether incorporated or not, every director, manager, secretary or other officer or person concerned in the management thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent its commission, be deemed to be guilty of such offence.

10. Savings and validation :-

Any notification issued or any order given or anything done or any action taken or any proceedings commenced in exercise of any power conferred by or under the West Bengal Jute (Control of Prices) Ordinance, 1949, shall, on the said Ordinance ceasing to operate, be deemed to have been issued, given done, taken or commenced in exercise of the powers conferred by or under this Act as if this Act had commenced on the 30th day of September, 1949.