

BOMBAY COTTON CONTROL (MAHARASHTRA) RULES, 1963

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BOMBAY COTTON CONTROL (MAHARASHTRA) RULES, 1963

In exercise of the powers conferred by x x sub-section (2) of section 14 of the Bombay Cotton Control Act, 1942 (Bom.XXX of 1942), and all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following, rules, the same having been previously published as required by sub-section (4) of the said section 14, namely

1. Short title :-

These rules may be called the Bombay Cotton Control (Maharashtra) Rules, 1963.

2. Definitions :-

In these rules, unless the context otherwise requires:

- (a)'Act' means the Bombay Cotton Control Act, 1942;
- (b)'From' means a Form appended to these rules;
- (c)'Section' means a section of the Act.

3. Sum of money to be paid by way of composition :-

The sum of money to be paid by way of composition under section 7 may extend

- (a) in the case of an offence under clause (a) of sub-section (1) of section 4, to twenty rupees for the first offence and to fifty rupees for every subsequent offence;
- (b) in the case of an offence under clause (b) of sub-section (1) of

section 4, to two thousand and five hundred rupees for the first offence and to five thousand rupees for every subsequent offence;and

(c) in the case of an offence under sub-section (2) of section 4, to two thousand and hundred rupees for the first offence and to five thousand rupees for every subsequent offence.

4. Conditions subject to which samples of cotton seized may be taken and forwarded under section 8 :-

Every officer seizing any cotton under sub-section (1) of section 8 shall take the sample of not more than 15 kilograms of such cotton and after separating the sample into three equal parts send without delay one such part to the officer authorised by the State Government for examination as required by clause (b) of sub-section (2) of the said section 8.

5. Report under section 8 :-

The officer seizing any cotton under sub-section (1) of section 8 shall make a report of such seizure in Form 'A' or 'B' according as the cotton is seized under clause (a) or (b) of sub-section (1) of that section .

5A. Disposal of articles confiscated under the Act :-

All articles which are ordered to be confiscated under the Act shall be sent to the Collector or any officer authorised by the Director of Agriculture in this behalf for disposal in the following manner that is to say-

(a) all cotton plant shall be destroyed;

(b) all cotton

(i) if it is ginned cotton, shall be sold by public auction to the highest bidder, who shall bale such cotton separately under the supervision of an official of the Agriculture Department and transport it outside the controlled area;

(ii) if it is unginned cotton, (Kapas), shall be ginned under the supervision of an official of the Agriculture Department and the resultant ginned cotton shall be disposed of in the manner laid down in sub-clause (i).

(c) all cotton waste shall be sold by public auction to the highest bidder, who shall transport it outside the controlled area;

(d) all cotton seed shall be crushed under the supervision of an official of the Agriculture Department and sold by public auction to the highest bidder, who shall transport it outside the controlled area;

(e) every box, receptacle, package or covering in which any cotton in respect of which an offence has been committed is contained shall also be sold by public auction to the highest bidder.

6. Repeal and saving :-

On the commencement of these rules, the Bombay Cotton Control Rules, 1944 and the Madhya Pradesh Cotton Control Rules, 1955 shall stand repealed, except as respects things done or omitted to be done before such repeal.