

MAHARASHTRA RAW COTTON (RECOVERY OF DEFAULTED PAYMENTS) RULES, 1972

CONTENTS

1. Short title
2. Definitions
3. Manner of making Application for Recovery of Defaulted Dues on account of purchase of Cotton Bales o Cotton Seeds from Government

MAHARASHTRA RAW COTTON (RECOVERY OF DEFAULTED PAYMENTS) RULES, 1972

In exercise of the powers conferred by sub-section (1) of section 40 read with sub-section (2) of section 46 of the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 (Mah. XLVII of 1971) 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 (3) of the said section 46, namely :-

1. Short title :-

These rules may be called the Maharashtra Raw Cotton (Recovery of Defaulted Payments) Rules, 1972

2. Definitions :-

In these rules, unless the context otherwise requires:-

- (a) "Act" means the Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971 (Mah. XLVII of 1971);
- (b) "Section" means a section of the Act;
- (c) "Words and expressions" used in the Act; and not defined in these rules shall have the meaning assigned to them in the Act;

3. Manner of making Application for Recovery of Defaulted Dues on account of purchase of Cotton Bales o Cotton Seeds from Government :-

- (1) Subject to the provisions of S.40 OF THE Maharashtra Raw Cotton (Procurement,, Processing and Marketing) Act, 1971, and to

any general or special directions issued, from time to time, by the State Government, when ginned cotton pressed into bales or cotton seeds are sold to any person by or on behalf of the State Government, by any agent appointed by the State Government under sub-section (2) of S.42 OF THE Maharashtra Raw Cotton (Procurement,, Processing and Marketing) Act, 1971, the purchaser shall settle the account and pay the amount due forthwith, or within the period of the days of credit (if any) agreed to in the agreement in respect of the sale of such cotton bales or seeds.

(2) If the purchaser fails to make the payment accordingly, he shall be treated as a defaulter, in respect of payment of the amount payable by him for the purchase of the cotton bales or seeds, as the case may be, and the Chief Executive Officer of the agent or any other officer or person authorised by the State Government in this behalf, shall apply to the Registrar, in the Form appended to these rules for grant of a certificate under sub-section (1) of S.40(1) OF THE Maharashtra Raw Cotton (Procurement, Processing and Marketing) Act, 1971, for the recovery of the defaulted amount as arrears of land revenue.

(3) Such application shall be accompanied by-

(i) a true and certified copy of the agreement regarding the sale of cotton bales or cotton seeds in question:

(ii) a true and certified copy of the delivery order, Railway Receipt or Motor Receipt, as the case may be;

(iii) the data in support of the fact that the number of days of credit (if any) given is over;

(iv) the special reasons, if the recovery is required to be effected before the expiry of the period of credit e.g. the party is heavily indebted or is likely to be insolvent;

(v) a true and certified copy of the relevant extracts from the books of account;

(vi) a true and certified copy of any other relevant document which the applicant may like to submit;

(vii) a deposit amount (if any) as may be directed by the Registrar under any general or special orders issued by him in this behalf, from time to time.

(4) Such application shall be sent to the Registrar by registered post, with acknowledgement due, or delivered in person in his office in Poona and receipt shall be obtained from that office.