

CHAPTER III
COTTON CONTROL ORDER, 1986

CENTRAL GOVERNMENT NOTIFICATION NO. 8/37/85-TPC
DATED 2ND APRIL, 1986.

In exercise of the powers conferred by section 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 Repeal and saving- The Cotton Control Order, 1955 is hereby repealed: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. Definition - In this Order, unless the context otherwise requires:-

- (a) 'contract' means a ready delivery contract;
- (b) 'cotton' means-
 - (1) ginned cotton; and
 - (2) ginned and pressed cotton, and includes both Indian and foreign cotton, but excludes all the wastes comprising either 100 per cent cotton or a mixture of cotton and non-cotton fibres thrown out during various processes in the spinning of cotton;
- Unginned 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;
- Amended vide Extra-Ordinary Gazette Notification No. 137 published on 24th March, 1994 in Part II Section 3, Sub-Section II of the Gazette.

- (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 Textiles(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.

^ Cotton ginning factory, cotton pressing factory, cotton ginning and pressing factory or a person, other than an agriculturist or a Hindu Undivided Family of agriculturists growing cotton.

** Amended vide Extra-Ordinary Gazette Notification No. 219 published on 2nd May, 1994 in Part-II , Section 3, Sub-Section(ii)

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 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.

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.

^ Cotton ginning factory, cotton pressing factory, cotton ginning and pressing factory or a person, other than an agriculturist or a Hindu Undivided Family of Agriculturists growing cotton.

** Amended vide Extra-Ordinary Gazette Notification No. 19 published on 2nd March, 1994 in Part-__ Section 3, Sub-Section (ii).

GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
Office of the Textile Commissioner
Post Bag No.11500, Mumbai-400020.

No. 3(5)/86-Cotton/

Dated: 4th July, 1988.

PUBLIC NOTICE

Attention of the manufacturer who consumes cotton on his own spindles is invited to Notification No. 3/5/86-Cotton dated 17th February, 1986 issued by the Textile Commissioner under Clause 5(1) of the Cotton Control Order, 1955. In this regard, attention is invited to Government of India's Order No. 8/37/85-TPC dated 2nd April, 1986 called 'Cotton Control Order, 1986'. By its Clause 2 of this Order, the Cotton Control Order, 1955 was repealed but the Notifications issued under that order were saved. Accordingly, Textile Commissioner's Notification No. 3/(5)/86-Cotton dated 17th January, 1986 remains valid, and is deemed to have been issued under Clause 4(1) of the Cotton Control Order 1986 in view of the above, it is hereby clarified.

Sd/-
(GOVIND SWARUP)
Additional Textile Commissioner

GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
Office of the Textile Commissioner
Post Bag No.11500, Mumbai-400020.

No. 3(5)/86-Cotton

Dated the 17th January, 1986.

NOTIFICATION

In exercise of the powers conferred on me by Clause 5(1) of the Cotton Control Order, 1955, and in supersession of the Textile Commissioner's Notification No. 10(1)73-74/CLB-II dated 19th December, 1974, I hereby direct that no manufacturer shall have at any time in his possession, a quantity of Indian Cotton required for consumption on his own spindles whether held by himself or held on his behalf by any other person and including quantities to be delivered against outstanding contracts, in excess of his six months' average consumption.

The above limit shall be subject to the following exemptions:

(i) In the case of manufacturer who is required to execute orders for defence purposes, the Textile Commissioner may, on an application made to him in this behalf, permit such manufacturer to keep stocks of Indian Cotton in excess of the above limit to the extent of requirement of cotton for executing the contract.

(ii) In the case of a manufacturer who has exported in the preceding calendar year ending on 31st December, a part or whole of his packed production, the Textile Commissioner may, on application made to him in this behalf accompanied by necessary particulars, permit such manufacturer to keep Indian Cotton upto the limits indicated below:-

(a) Manufacturer who has exported upto and including 10% of his packed production in the preceding calendar year ending on 31st December. Quantity equivalent to half months average consumption over and above the applicable stock limits specified above.

(b) Manufacturer who has exported more than 10% but upto and including 25% of his packed production in the preceding calendar year ending on 31st December. Quantity equivalent to one months average consumption over and above the applicable stock limits specified above.

(c) Manufacturer who has exported more than 25% of his packed production in the preceding year ending on 31st December. Quantity equivalent to one and half months average consumption over and above the applicable stock limits specified above.

(iii) The quantity of Indian Cotton which can be held in the possession of a manufacturer who has been using wholly or mainly foreign cotton, shall be as specified by the Textile Commissioner from time to time on application made to him by the said manufacturer in this behalf.

(iv) The cases of mills which were closed and have been restarted recently either by the National Textile Corporation or private parties will be considered on merit on submission of application to the Textile Commissioner.

It should be noted that:-

(i) The average monthly consumption will be computed on the basis of the figures reported by the manufacturer to the Textile Commissioner in Form CST-H(M O 2 revised) for preceding cotton year ending on 31st day of August.

(ii) The average consumption will be computed on the basis of full working stocks during the preceding cotton year without taking into consideration the price period, if any.

This Notification comes into effect from 17th January, 1986.

THE GAZETTE OF INDIA

EXTRA ORDINARY PART II SECTION 3-SUB-SECTION (II) PUBLISHED BY AUTHORITY

MINISTRY OF TEXTILES
NOTIFICATION
New Delhi, the 26th April, 1994.

S.O.343(E) –In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order to amend the Cotton Control Order, 1986, namely:-

1. (1) This Order may be called the Cotton Control (Amendment) Order, 1994.
(2) It shall come into force on the date of its publication in the official Gazette.
2. In the Cotton Control Order, 1986 (hereinafter referred to as the said order)
 - (i) in paragraph 3, sub-paragraph (b), after item (2), the following item shall be inserted, namely:-
“(3) unginning cotton”;
 - (ii) in paragraph 4 of the said Order for the word “manufacturer” wherever it occur, the words “manufacturer, cotton ginning factory, cotton pressing factory, cotton ginning and pressing factory, or a person, other than an agriculturist or a Hindu Undivided Family of agriculturists growing cotton shall be substituted.
 - (iii) in paragraph 6 of the said order for the word “manufacturer, wherever it occur, the words “manufacturer, cotton ginning factory, cotton pressing factory, cotton ginning and pressing factory or a person, other than an agriculturist or a Hindu Undivided Family of agriculturist growing cotton shall be substituted.

Foot Note: The Principal Order was published vide No. 8/37/85-TPC dated the 2nd April, 1986 and published in the Gazette of India in part-I Section I dated the 11th April, 1986.

[No.1/13/91-CTM]
AJAY PRASAD, JT. SECY.

TO BE PUBLISHED IN GAZETTE OF INDIA EXTRA ORDINARY
PART-1 SECTION-1

No. 8/37/85-TPC
Government of India
Ministry of Textiles

S.O.8/37/85-TPC

New Delhi, the 31st December, 1987

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order to amend the Cotton Control Order, 1986, namely:-

- (1) This order may be called the Cotton Control (Amendment) Order, 1987.
- (2) It extends to the whole of India.
- (3) For purposes of export, it shall come into force on the date of its publication in the official Gazette and for purposes of domestic consumption, it shall come into force with effect from the 1st day of September, 1988.

2 For clause 5 of the Cotton Control Order, 1986, the following clause shall be substituted, namely:-

“5. Every owner or lessee of a cotton ginning factory or cotton pressing factory or cotton ginning and pressing factory shall pack cotton only as per the Indian Standard specification number IS: 12171 for cotton bales laid down by the Bureau of Indian Standards”.

Sd/-
(L. V. Saptharishi)
Jt. Secretary to the Government of India

Note: The principal order was notified vide No. S.O.8/37/85-TPC dated the 11th April , 1986.

INDIAN STANDARD
SPECIFICATION FOR COTTON BALES

1. SCOPE

1.1 This Standard prescribes the requirements of ginned cotton in terms of trash content and moisture content as well as the requirements of cotton bales including the packing materials.

2. GINNING

2.1 The kapas shall be pre cleaned before ginning by using suitable pre-cleaning machines. In case of excessive trash in kapas, a lint cleaner may be used after ginning and before pressing.

2.2 Only the ginned cotton satisfying the requirements of clause.

3.1.1 shall be used for pressing into bales.

3. Requirements

3.1.1 Trash Content- The maximum trash content (excluding invisible loss) for various categories of cotton shall be as under when tested by the method prescribed in IS: 4871-1968*

i)	Extra long staple	- 3%
ii)	Long and superior medium staple	-4%
iii)	Medium and short staple(including Bengal Desi)	-5%
iv)	V-797, Kalagin, CJ-73 and J-34 RG	-6%

3.1.2 Moisture Content- The moisture content in the pressed bale shall not exceed 7.5 percent.

3.2 Pressed Bales

3.2.1 Dimensions- The recommended nominal dimensions of the band bales (full pressed) are given below:-

Length x	Width x	Height
1060 x	530 x	780
OR		
2400 x	530 x	700

3.2.2 Mass (Weight)- The mass of bale shall be as agreed to between the buyer and the seller taking into consideration the dimensions and density. However, for internal trade, the mass(weight) of the bale after pressing shall be 170 + 5 kg. For all months except during March to June when the tolerance shall be of ± 7 kg.

*Method for determination of Lint and trash content of cotton by means of mechanical machines.

3.2.3 Density- The density of banded bale (full pressed) shall preferably be within 400 to 450 kg/m.

3.2.4 Baling/Pressing

3.2.4.1 The bales shall be fully covered with hessian of 125 cm width and no portion of cotton shall be exposed. The hessian shall be stitched using a 3-ply jute twine and the stitches shall be evenly spaced and properly made. The distance between two stitched shall not exceed 30 mm.

3.2.4.2 The particulars of hessian, jute twine and iron hoops used for bales shall be as follows:

- a) Hessian- Conforming to variety 2 (270g/m²)
(11 oz/50 inches) of IS: 2818
(Part III) -1971*
- b) Jute twine -See IS: 1912-1984 **
- c) Iron hoops – Conforming to IS: 1029-1979 ***
 - i) Three pieces of 720 cm length, 12.5 mm width and 0.9/1.18 mm thickness where the press has 12 galas, and\
 - ii) Two pieces of 720 cm length and one piece of 390 cm length, 12.5 mm width and 0.9/1.18 mm thickness where and press has 10 galas.

4.MARKETING

4.1 The bales shall be marked on one side with the following information using washable black ink:

- a) name of the cotton;
- b) Press-mark of the press in code (including month, year and place);
- c) Press running number.

4.2 The cotton bales may also be marked with the standard mark.

NOTE: The use of the Standard mark is governed by the provisions of the Bureau of Indian Standards Act and the Rules and Regulations made thereunder. The Standard Mark on products covered by an Indian Standard conveys the assurance that they have been produced to comply with the requirements of that standard under a well-defined system of inspection, testing and quality control which is devised and supervised by BIS and operated by the producer. Standard marked products are also continuously checked by BIS for conformity to that standard as a further safeguard. Details of conditions, under which a for the date of the Standard Mark may be granted to may be obtained from the Bureau of Indian Standards

5. SAMPLING

5.1 Lot- In any consignment, the bales of a particular variety of cotton ginned under identical conditions shall constitute a lot.

5.2 Sample for determination of trash content shall be drawn as per clause 3 of IS: 4952-1968 § and the gross sample be reduced as per clause 4 of IS: 4952-1968. However, the weight of tufts drawn from each sub-square be decided in such a way so that the reduced sample meets the requirements of IS: 4871-1968.

* Indian Hessian, Part III 213 and 270 g/m² at 16 percent contract regain
(First revision)

** Country Jute twine (Second revision)

*** Hot rolled steel strips (Baling) (first revision)

§ Method for sampling of cotton-bales, slivers and savings.