

APPENDIX X

ORDINANCE PROMULGATED BY THE GOVERNOR OF WEST BENGAL UNDER THE GOVERNMENT OF INDIA ACT, 1935.
1935.

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

The West Bengal Jute (Control of Prices) Ordinance, 1949.

WEST BENGAL ORDINANCE No. VII OF 1949.*

Whereas it is expedient and necessary to provide for the control of the price of jute in the manner hereinafter appearing:

And Whereas the West Bengal Legislature is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased in exercise of the power conferred by sub-section (1) of section 88 of the Government of India Act, 1935 to make and promulgate the following Ordinance, namely:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the West Bengal Jute (Control of Prices) Ordinance 1949.

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

(3) It shall come into force on the date of its publication in the Official Gazette.

2. *Definitions.*—In this Ordinance, 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, nalita 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 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 licence under the Imports and Exports (Control) Act, 1947; XVIII of 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 Provincial 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 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 Provincial Government to issue directions in respect of surplus raw jute.*—The provincial 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 persons at a price not exceeding the maximum price fixed therefore under section 3 and the person so directed shall comply with the order.

6. *Power to require information, etc.*—The provincial Government or any officer authorised in this behalf by the Provincial Government may, with a view to securing compliance with this Ordinance,—

- (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 Ordinance has been committed.

7. *Evasion.*—No person shall, with intent to evade any provision of this Ordinance, refuse to give any information lawfully demanded from him under section 6, or conceal, destroy, mutilate or deface any book or document.

8. *Penalties.*—Whoever contravenes any of the provisions of this Ordinance 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 Ordinance is a company or an association or a body of persons whether incorporated or not, every director, manager, secretary or other officer or persons 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.

KAILASH NATH KATJU,
Governor of West Bengal.

The 30th September, 1949.

S. K. D. GUPTA,
Secy. to the Govt. of West Bengal.

*This was passed into law by the West Bengal Assembly in March 1950.

SCHEDULE OF MAXIMUM PRICES

	All prices in rupees (Indian) per bale
Dundee Firsts	270
Dundee Lightnings	255
Dundee Hearts	240
Mill Reds	225
Mill Firsts	210
Mill Lightnings	200
Mill Hearts	190
Export Reds	215
Exports Firsts	200
Export Lightnings	190
Export Hearts	180
Dacca Tossa 2/3	275
Dacca Tossa 4	265
Dundee Short Group 2/3	230
Dundee Short Group 4	210
Dundee Long Group 2/3	210
Dundee Long Group 4	200
Outport Tossa 1	200
Outport Tossa 4	190
Short Group—Daisee 2/3	210
Short Group—Daisee 4	200
Long Group—Daisee 2/3	200
Long Group—Daisee 4	190
Outport Daisee 2/3	190
Outport Daisee 4	180
Bimli Jute (Standard Packing)	190 (F.A.S. Vizagapatam)
Cuttings N. C.	130
M. C. & T. C.	129
Special N. C.	138
Dacca Tossa Cuttings	143
Ropes	150
H. J.	145

SCHEDULE OF MAXIMUM PRICES

	All prices in rupees (Indian) per bale
Straight Morahed	160
	Prices in rupees per maund
White Jat Tops	40
White Jat Middles	38
White Jat Bottoms	35
White District Tops	40
White District Middles	38
White District Bottoms	35
White Jungli Tops	40
White Jungli Middles	38
White Jungli Bottoms	35
Daisee Tops	40
Daisee Middles	38
Daisee Bottoms	35
Bimli Jute (F.A.Q.)	33 (F.O.R. Vizianagram or F. A. S. Vizaga- patam).
Meshta Fibre (Do.)	33

*Tossa—One Rupee per maund extra.

NOTES

1. With the exception of Bimli Jute all the above prices are for delivery free alongside ship in the port of Calcutta or for delivery free at mills in Calcutta.
2. "Bale" Means pucca bale of 400 lbs. Packing.
3. Where the price per maund is given, goods may be supplied in kutchu packing
4. "Bottom Grades" shall include 10 p.c. of X Grade.