

THE COTTON INDUSTRY (STATISTICS) ACT, 1926
(XX OF 1926)

CONTENTS

- 1. Short title and extent**
- 2. Definitions**
- 3. Delivery of monthly returns of goods and yarn manufactured by mill owner**
- 4. Power to inspect mills and take copies of records**
- 5. Publication of returns**
- 6. Power to make rules**
- 7. Penalties**
- 8. Exemption**
- 9. Protection for acts done under this Act**

TEXT

¹THE COTTON INDUSTRY (STATISTICS) ACT, 1926

(XX of 1926)

[16th April, 1926]

An

Act

to provide for the regular submission of returns of quantities of cotton goods manufactured and cotton yarn spun in ²[the Province of the Punjab].

WHEREAS it is expedient, notwithstanding the repeal of the Cotton Duties Act, 1896³, to provide for the regular submission of returns of the quantities of cotton goods manufactured and cotton yarn spun in ⁴[the Province of the Punjab];

It is hereby enacted as follows:

1. Short title and extent.— (1) This Act may be called the Cotton Industry (Statistics) Act, 1926.

⁵[(2) It extends to the whole of ⁶[the Province of the Punjab].]

2. Definitions.— For the purposes of this Act, unless there is anything repugnant in the subject or context,—

1 For statement of Objects and Reasons, see gazette of India, 1926, Pt.V, p.1001.

2 Substituted for the word "Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP. Which had been substituted for the words "the Provinces and the Capital of the Federation" by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), w.e.f. 14.10.1955, s.3 and 2nd schedule; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, which had been substituted for the words "British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O. No. 4 of 1949), w.e.f. 28.3.1949, Articles 3(2) and 4 and published in the Gazette of Pakistan, pages 223-283.

3 II of 1896.

4 Substituted for the word "Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP. Which had been substituted for the words "the Provinces and the Capital of the Federation" by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), w.e.f. 14.10.1955, s.3 and 2nd schedule; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, which had been substituted for the word "British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O. No. 4 of 1949), w.e.f. 28.3.1949, Articles 3(2) and 4 and published in the Gazette of Pakistan, pages 223-283.

5 Substituted by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), w.e.f. 14.10.1955, s.3 and 2nd schedule; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845.

6 Substituted for the word "Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, which had been substituted by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), w.e.f. 14.10.1955, s.3 and 2nd schedule; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, which had been substituted for the words "the whole of British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O. No. 4 of 1949), w.e.f. 28.3.1949, Articles 3(2) and 4 and published in the Gazette of Pakistan, pages 223-283.

- (a) "cotton goods" or "goods" includes all tissues and other articles (except yarn and thread) woven, knitted or otherwise manufactured wholly or partly from cotton yarn;
- (b) "cotton yarn" or "yarn" means yarn wholly or partly composed of cotton fibres;
- (c) "mill" means any building or place where cotton goods are woven, knitted or otherwise manufactured, or where cotton yarn is spun, by machinery moved otherwise than by manual labour, and includes every part of such building or place;
- (d) "owner", in relation to any mill, includes the managing agent or other principal officer of the mill; and
- (e) "prescribed" means prescribed by rules made under this Act.

3. Delivery of monthly returns of goods and yarn manufactured by mill owner.— (1) The owner of every mill shall each month prepare and deliver, or cause to be prepared and delivered, to the prescribed officer a return of all cotton goods manufactured and all cotton yarn spun in the mill during the preceding month by machinery moved otherwise than by manual labour, and shall subscribe a declaration of the truth of the return at the foot thereof.

(2) Save as may be otherwise prescribed, every such return shall state, in respect of each description of goods and of yarn, the quantity manufactured during the period to which the return relates, and shall contain such further information, and be in such form and be subject to such conditions as to verification and otherwise, as may be prescribed.

(3) Every such return shall be delivered to the prescribed officer or posted to his address within seven days after the end of the month to which it relates.

4. Power to inspect mills and take copies of records.— (1) Any officer authorised by the ⁷[Provincial Government] by order in writing in this behalf shall have free access at all reasonable times during working hours to any mill and may at any time, with or without notice to the owner, examine and take copies of, or extracts from, the records of the mill for the purpose of testing the accuracy of any return made under section 3, or of informing himself as to any particulars regarding which information is required for the purposes of this Act or any rules made thereunder:

Provided that no officer not especially empowered by the ⁸[Provincial Government] in this behalf shall be entitled to inspect any record containing the description or formulae of any trade process.

(2) All copies and extracts and all information acquired by any officer in the inspection of any mill under this section shall be treated as strictly confidential.

5. Publication of returns.— The ⁹[Provincial Government] shall from the returns delivered under section 3, cause to be compiled and published, in such form as ¹⁰[it] may direct,

⁷ Substituted for the words "Local Government" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 4 and Table of General Adaptations.

⁸ Substituted for the words "Local Government" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 4 and Table of General Adaptations.

⁹ Substituted for the "Governor General in Council" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 3 and the Schedule I.

¹⁰ Substituted for the word "he" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 5.

statements showing for each month the total quantities of goods manufactured and of yarn spun in mills in ¹¹[the Province].

6. Power to make rules.— (1) The ¹²[Provincial Government] may, by notification in the ¹³[Official Gazette], make rules¹⁴ consistent with this Act to carry out the purposes thereof.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the form of any return required under this Act, the particulars to be contained therein, and the manner in which the return shall be verified;
- (b) the nature of the records to be maintained by the owners of mills;
- (c) the powers and duties, in regard to the inspection of mills under this Act, of the officers authorised to make such inspections; and
- (d) any other matter which may be or is to be prescribed.

7. Penalties.— (1) Any person who—

- (a) knowingly falsifies any record of manufacture or production kept in a mill, or
- (b) being required to deliver a return under section 3, knowingly delivers a false return, or
- (c) omits to make any return required by section 3, or refuses to sign or complete the same, or
- (d) knowingly does any act, not otherwise punishable under this Act, in contravention of the provisions of any rule made under this Act,

shall be punishable with fine which may extend to five hundred rupees.

(2) Any person who discloses any particulars or other information acquired by him in the inspection of any mill under this Act shall be punishable with fine which may extend to one thousand rupees:

Provided that nothing in this sub-section shall apply to the disclosure—

- (a) of any such particulars or information for the purpose of a prosecution under section 193 of the Indian¹⁵ Penal Code¹⁶ or under this Act, in respect of any return kept or record made for the purposes of this Act, or

¹¹Substituted for the words "British India" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 3 and the Schedule I.

¹²Substituted for the words "Governor General in Council" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 3 and the Schedule I.

¹³Substituted for the words "Gazette of India" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 4 and Table of General Adaptations.

¹⁴For such rules, see Gazette of India, 1926, Pt. I, p. 463.

¹⁵Now Pakistan Penal Code, see Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O. No. 4 of 1949), w.e.f. 28.3.1949, Articles 3 and the Schedule; and published in the Gazette of Pakistan, pages 223-283.

¹⁶XLV of 1860.

(b) of any such particulars or information to any person acting in the execution of any duty imposed upon him by this Act, where the disclosure is necessary for the purposes of this Act.

8. Exemption.— The ¹⁷[Provincial Government] may, by notification in the ¹⁸[Official Gazette], exempt from the operation of this Act or of any specified provision thereof any mill or class of mills, or any goods or class of goods, specified in the notification.

9. Protection for acts done under this Act.— No suit or other legal proceeding shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Act.

¹⁷Substituted for the words "Governor General in Council" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 3 and the Schedule I.

¹⁸Substituted for the words "Gazette of India" by the Government of India (Adaptation of Indian Laws) Order, 1937, w.e.f. 1.4.1937, Article 4 and Table of General Adaptations.