

THE JUTE MANUFACTURES DEVELOPMENT COUNCIL ACT, 1983

An Act to provide for the establishment of a Council for the development of production of jute manufactures by increasing the efficiency and productivity in the jute industry, the financing activities for such development and for matters connected therewith.

BE it enacted by Parliament in the Thirty fourth Year of the Republic of India as follows,

CHAPTER - I PRELIMINARY

1. (a) This Act may be called the Jute Manufacture Development Council Act, 1983.
- (b) It extends to the whole of India.
- (c) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.
2. In this Act, unless the context otherwise requires
 - (a) "Chairman" means the Chairman of the Council.
 - (b) "Council" means the Jute Manufactures Development Council established under section 3.
 - (c) "Jute manufacture" shall have the same meanings assigned to it in the Jute Manufactures Cess Act, 1983.
 - (d) "Member" means a member of the Council and includes the Chairman
 - (e) "Prescribed" means prescribed by rules made under this Act.
 - (f) "Year,, means the year commencing on the 1st. day of July and ending on the 30th day of June next following.

CHAPTER - II THE JUTE MANUFACTURERS DEVELOPMENT COUNCIL

3. (a) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act, a Council to be called the Jute Manufactures Development Council.
- (b) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.
- (c) The head office of the Council shall be at Calcutta in the State of West Bengal and the Council may, with the previous approval of the Central Government, establish offices or agencies at other places in or outside India.
- (d) The Council shall consist of the following members, namely :
 - I. a Chairman to be appointed by the Central Government.
 - II. such number of members not exceeding eight as the Central Government may think fit to be appointed by it from among the Ministries of the Central Government dealing with -
 - i. agriculture ;
 - ii. Commerce (textiles);
 - iii. finance ;
 - iv. industry ;
 - v. Civil supplies ;
 - vi. Co-operation ;
 - III. six members to be appointed by the Central Government by rotation in the alphabetical order to represent respectively the Governments Of the States Of Andhra Pradesh Assam, Bihar, Meghalaya; Orissa, Tripura and West Bengal in which jute is cultivated on a large scale.

Provided that such appointment shall be made On the recommendation Of the Government Of the State Concerned ;
 - IV. four members to be appointed by the Central Government to represent the producers of jute manufactures.
 - V. two members to be appointed by the Central Government to represent the exporters of jute manufactures.
 - VI. three members to be appointed by the Central Government to represent the growers of jute.
 - VII. three members to be appointed by the Central Government to represent the interests of workmen employed in factories producing jute manufactures.
 - VIII. five members to be appointed by the Central Government from amongst persons who, in the opinion of the Central Government, are experts in jute technological research, jute marketing or agricultural economics.
 - (a) The Council shall elect, from amongst its members, a Vice-Chairman who shall exercise such of the powers and perform such of the functions of the Chairman as

- may be prescribed or as may be delegated to him by the Chairman.
- (b) The term of office and other conditions of service of the members and the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by, the members shall be such as may be prescribed.
 - (c) Any officer of the Central Government, not being a member of the Council, when deputed by that Government in this behalf, shall have the right to attend the meetings of the Council and take part in the proceedings thereof, but shall not have the right to vote.
 - (d) The Council may associate with itself, in such manner, subject to such conditions and for such purposes as may be prescribed, any person whose assistance or advice it may desire in complying with any of the provisions of this Act and a person so associated shall be entitled to receive such allowances or fees as may be fixed by the Central Government and shall have the right to take part in the proceedings of the Council relevant to the purpose for which he has been associated but shall not have the right to vote.
 - (e) No act or proceeding of the Council or any committee appointed by it under section 5 shall be invalidated merely by reason of
 - i Any vacancy in, or any defect in the constitution of, the Council or such committee ; or
 - ii Any defect in the appointment of a person acting as a member of the Council or such committee ;or
 - iii Any irregularity in the procedure of the Council or such committee not affecting the merits of the case.
 - (f) The Council shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at meetings) as may be prescribed
4. (1) The Chairman shall be entitled to such salary and allowances and shall be subject to such conditions of service in respect of leave , pension, provident fund and other matters as may from time to time be fixed by the Central Government.
 - (2) The other members of the Council shall receive such allowances as may be fixed by the Central Government.
 5. (1) The council may appoint such committees as may be necessary for the efficient discharge of its duties and performance of its functions under this act.
 - (2) The Council shall have the power to co-opt as members of an committee appointed under sub-section (1) such number of persons who are not members of the Council as it may think fit and the persons so co-opted shall have the right to attend meetings of the committee and take part in its proceedings but shall not have the right to vote.
 - (3) The persons co-opted as members of a committee under sub-section (2) shall be entitled to receive such allowances or fees for attending the meetings of the committee as may be fixed by the Central Government.
 6. (1) Subject to the provisions of this Act, every person employed by the Jute Manufactures development Council established under sub-section (1) of section 6 of the Industries (Development and Regulation) Act, 1951, immediately before the date of establishment of the Council under section 3 of this Act, shall, on and from such date, become an employee of the Council with such designation as the Council may determine and shall hold his office or service there in by the same tenure, at the same remuneration and upon the same as he would have held on such date if the Council had not been established and shall continue to do so unless and until such tenure, remuneration and terms and conditions are duly altered by Council;

Provided that the tenure, remuneration and terms and conditions of service of any such person shall not be altered to his disadvantage without the previous approval of the Central Government.

- (2) Every employee holding any office under the Central Government immediately before the date of establishment of the Council solely or mainly for or in connection with such matters as are relevant to the functions of the Council under this Act, shall, on and from such date, be treated as on deputation with the Council but shall hold his office in the Council by the same tenure and upon the same terms and conditions of service as respects remuneration, leave, provident fund, retirement or other terminal benefits as he would have held such office, if the Council had not been established and shall continue to do so until the Central Government, either on its own motion or at the request of the Council, recalls such employee to its service or until the Council, with the concurrence of the Central Government, duly absorbs such employee in its regular service, whichever is earlier :

Provided that during the period of deputation of any such employee with the Council, the Council shall pay to the Central Government, in respect of every such employee, such contribution towards his leave salary, pension and gratuity as the Central Government may, by order, determine :

Provided further that any such employee, who has, in respect of the proposal of the Council to absorb him in its regular service, intimated within such time as may be specified in this behalf by the Council his intention of not becoming a regular employee of the Council, shall not be absorbed by the Council in its regular service.

- (3) If any dispute or doubt arises as to which of the employees serving under the Central Government are to be treated as on deputation with the Council under this section, such dispute or doubt shall be decided by the Central Government in consultation with the Council and the decision of the Central Government thereon shall be final.
- (4) For the purposes of enabling it efficiently to discharge its functions under this Act, the Council shall, subject to the other provisions of this section and to such rules as may be made in this behalf by the Central Government, appoint (whether on deputation or otherwise) such number of officers and other employees as it may consider necessary.

Provided that the appointment of such category of officers as may be specified in such rules, shall be subject to the approval of the Central Government.

- (5) Subject to the other provisions of this section, every officer or other employee appointed by the Council shall be subject to such conditions of service and shall be entitled to such remuneration as may be prescribed.
7. (1) It shall be the duty of the Council to promote, by such measures as it thinks fit, the development of production of jute manufactures by increasing the efficiency and productivity in the jute industry.
- (2) Without prejudice to the generality of the provisions of sub-section (1), the measures referred to the therein may provide for
- (a) evolving an integrated approach to jute cultivation in the matter of formulation of schemes, extension work, implementation and evaluation of schemes aimed at increasing the yield of jute and improving the quality thereof ;
 - (b) promoting arrangements for better marketing and sale of jute
 - (c) recommending targets for production for jute industry, coordinating production programmers and reviewing progress from time to time
 - (d) suggesting norms production ,improving q of efficiency for jute industry with a view eliminating waste, obtaining optimum production ,improving quality and reducing cost;
 - (e) promoting standardization of jute manufactures.
 - (f) maintenance and improvement of existing markets and development of new markets outside India for jute manufactures and devising marketing strategy in consonance with the demand for such manufactures outside, India ;
 - (g) sponsoring, assisting, coordinating or encouraging scientific. technological and economic research into the matters relating to materials, equipment, methods of production, product development, including discovery and development of new materials, equipment and methods and of improvements in those already in use in the jute industry –
 - (h) ensuring stabilization of prices Of jute manufactures in and outside India ;
 - (i) promoting or undertaking the collection and formulation of statistics regarding jute industry ;
 - (j) propagating information useful to the growers, dealers and exporters of jute and producers or manufacturers of jute goods ;
 - (k) such other matters as may be prescribed.
- (3) The Council shall perform its functions under this section in accordance with and subject to such rules as may be made by the Central Government and such rules may in particular make provisions for ensuring that the Council functions in close liaison with Union agencies, institutions and authorities concerned with the jute manufactures (including cultivation of jute) and avoids duplication of effort.
8. (1) The Central Government may, by notification in the Official Gazette and for reasons to be specified therein, direct that the Council shall be dissolved from such date and for such period as may be specified in the notification;

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Council to make representations against the proposed dissolution and shall consider the representations, if any, of the council.

- (2) When the Council is dissolved under the provisions of sub-section (1).

- (a) all the member all the members, notwithstanding that their term of office has not expired, shall, from the date of dissolution vacate their offices as such members ;
- (b) all the Powers and duties of the Council shall, during the period of dissolution, be exercised and performed by such person or person as the central government may appoint in this behalf and their remuneration shall be such as may be prescribed ;
- (c) all funds and other properties vested in the Council shall, during the period of dissolution, vest in the central Government ; and
- (d) as soon as the period of dissolution expires, the Council shall be reconstituted in accordance with the provisions of this Act.