

No. 11/12/2019/DCH/Enf
Government of India/भारत सरकार
Ministry of Textiles/वस्त्र मंत्रालय
OFFICE OF THE DEVELOPMENT COMMISSIONER FOR HANDLOOMS
विकास आयुक्त हथकरघा कार्यालय

उद्योग भवन, नई दिल्ली /Udyog Bhawan, New Delhi.
Dated: the 11th September 2019

CORRIGENDUM NOTICE
TENDER NOTICE NO. 11/12/2019/DCH/Enf

INVITING EXPRESSION OF INTERESTS (EOI) FOR APPOINTING AGENCY FOR EVALUATION STUDY OF SCHEME FOR IMPLEMENTATION OF THE HANDLOOMS (RESERVATION OF ARTICLES FOR PRODUCTION) ACT, 1985 BY ESTABLISHMENT OF STATE ENFORCEMENT MACHINERY IN STATES

1. Ref. this office Tender ID No. 2019_DCHL_497621_1 dt 26 Aug 2019 published on website www.eprocure.gov.in/eprocure/app and www.handlooms.nic.in published vide tender Notice No. 11/12/2019/DCH/Enf dt 26.08.2019 and amendment issued vide this office letter No. 11/12/2019/DCH/Enf/6073 dated 11.09.19.

2. Please carryout the following amendments in the tender documents: -

Ser No.	Srl Page No.	Location (Reference to Clause, Para, line etc)	Particulars of amendments
1	2	3	4
7.	14	Sub-Para (a), Para-3, Line-9	Delete Annexure "C" attached in last amendment and revised Annexure C(R) attached.

3. This letter shall form part of tender documents.

Yours faithfully,



(राजीव जैन/Rajiv Jain)

मुख्य प्रवर्तन अधिकारी/Chief Enforcement Officer

Ph No. 011-23061976

Email - rajiv.jain62@nic.in

(Signature of Contractor)

Dated: _____

No. 11/12/2019/DCH/Enf 16072
Government of India/भारत सरकार
Ministry of Textiles/वस्त्र मंत्रालय
OFFICE OF THE DEVELOPMENT COMMISSIONER FOR HANDLOOMS
विकास आयुक्त हथकरघा कार्यालय

उद्योग भवन, नई दिल्ली /Udyog Bhawan, New Delhi.
Dated: the 11th September 2019

CORRIGENDUM NOTICE
TENDER NOTICE NO. 11/12/2019/DCH/Enf

**INVITING EXPRESSION OF INTERESTS (EOI) FOR APPOINTING AGENCY FOR
EVALUATION STUDY OF SCHEME FOR IMPLEMENTATION OF THE
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ESTABLISHMENT OF STATE ENFORCEMENT MACHINERY IN STATES**

1. Ref. this office Tender ID No. 2019_DCHL_497621_1 dt 26 Aug 2019 published on website www.eprocure.gov.in/eprocure/app and www.handlooms.nic.in published vide tender Notice No. 11/12/2019/DCH/Enf dt 26.08.2019.

2. Please carryout the following amendments in the tender documents: -

Ser No.	Srl Page No.	Location (Reference to Clause, Para, line etc)	Particulars of amendments
1	2	3	4
CRITICAL DATE SHEET			
1.	3	Bid Submission Start date	For : "11 Sep 2019 at 1800hrs" Read : "16 Sep 2019 at 1800hrs"
		Bid Submission End date	For : "18 Sep 2019 at 1500hrs" Read : "23 Sep 2019 at 1500hrs"
		Technical Bid Opening Date and Time	For : "19 Sep 2019 at 1500hrs" Read : "24 Sep 2019 at 1500hrs"
2.	6	Part-II, Serial No. 2	For : "within 3 months" Read : "within 2 months"
3.	7	Serial No. 5, Sub-Para-(g)	For : "bid document cost and EMD" Read : "EMD"

4.	14	Sub-Para (a), Para-3, Line-9	Annexure "A", "B" & "C" attached.
5.		Add additional page after page No.38	Add additional Annexure XVI (List of Subsidiary Offices in State Directorates) after Annexure XV
6	16	Serial No. 6(b), Para-2, Line-7	Add at the end of Para :- "Two powerloom Units. One handlooms Corporation or Apex Society or handlooms society in the States. The details of nearby locations to be provided by O/o State Director/Commissioner of Central Assistance availing states. (Annexure-XVI)"

3. This letter shall form part of tender documents.

Yours faithfully,

(राजीव जैन/Rajiv Jain)

मुख्य प्रवर्तन अधिकारी/Chief Enforcement Officer

Ph No. 011-23061976

Email - rajiv.jain62@nic.in

(Signature of Contractor)

Dated: _____

THE HANDLOOMS (RESERVATION OF ARTICLES FOR
PRODUCTION) ACT, 1985

No. 22 OF 1985



[29th March, 1985.]

An Act to provide for reservation of certain articles for exclusive production by handlooms and for matters connected therewith.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Handlooms (Reservation of Articles for Production) Act, 1985.

(2) It extends to the whole of India.

(3) 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) "Advisory Committee" means the Advisory Committee constituted under section 4;

(b) "handloom" means any loom, other than powerloom;

(c) "manufacturer" includes the producer and processor, and the expression "manufacture" shall be construed accordingly;

(d) "powerloom" means a loom which is worked by power as defined in clause (g) of section 2 of the Factories Act, 1948;

(e) "processor" means a person engaged in any ancillary process subsequent to the production of cloth, such as dyeing, bleaching, mercerising, calendering, embroidering, printing, raising, cloth embossing or any other finishing process, but does not include a producer, and the expression "process" shall be construed accordingly;

(f) "producer" means a person engaged in the production of cloth on any loom, other than handloom, and shall include a person

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Short
title, ex-
tent and
commen-
cement.

Defini-
tions.

195

65 of 1951.

Handlooms (Reservation of Articles for Production) [ACT 20]

who owns, works or operates on, a loom for the production of cloth, and the expression "produce" shall be construed accordingly.

Power to specify articles for exclusive production by handlooms.

3. (1) Notwithstanding anything contained in the Industries (Development and Regulation) Act, 1951, the Central Government may, if it is satisfied, after considering the recommendations made to it by the Advisory Committee, that it is necessary so to do for the protection and development of the handloom industry, by order published in the Official Gazette, direct, from time to time, that any article or class of articles shall, on and from such date as may be specified in the order (hereinafter referred to as the date of reservation), be reserved for exclusive production by handlooms.

(2) Every order published under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Constitution of Advisory Committee.

4. (1) The Central Government shall, with a view to determining the nature of any article or class of articles that may be reserved for exclusive production by handlooms, constitute an Advisory Committee consisting of such persons as have, in the opinion of that Government, the necessary expertise to give advice on the matter.

(2) The Advisory Committee shall, after considering the following matters, communicate its recommendations to the Central Government, namely:—

(a) the article or class of articles which is being produced by handlooms for mass consumption;

(b) the article or class of articles which is being produced traditionally by handlooms;

(c) the level of employment likely to be generated by the production of the article or class of articles referred to in clause (a) or clause (b) exclusively by handlooms;

(d) the protection of interests of persons engaged in the handloom industry and the need for the continued maintenance of the industry; and

(e) such other matters as the Advisory Committee may think fit.

5. Where an order has been made under section 3 reserving any article or class of articles for exclusive production by handlooms, such article or class of articles shall not, on and from the date of reservation, be produced by any loom, other than handloom:

Provided that any person who, immediately before the date of reservation of any article or class of articles, was engaged in the production of such article or class of articles in any loom, other than handloom may continue to be so engaged till the expiry of three months from the date of such reservation.

Prohibition of production of articles exclusively reserved for handlooms.

6. (1) The Central Government may, by order, require any manufacturer to furnish, for the purposes of this Act,—

Power to call for information or to furnish samples.

(a) such information in his possession with respect to any manufacturing activity or business carried on by him or by any other person to any officer or authority specified by it in such form and within such period as may be specified by that Government in the order;

(b) such samples of any articles manufactured by him or by any other person for inspection by such officer or authority, at such places and within such period as may be specified by it in the order.

(2) Where any order has been issued to any manufacturer under sub-section (1), he shall comply with such order.

7. Any officer authorised by the Central Government (hereinafter referred to as the authorised officer) may enter, at all reasonable times, any place or premises of any manufacturer in which any textile articles are stored, kept or exposed for sale and may require the production for inspection of any books of account, registers, records or other documents kept therein and ask for such information relating to the manufacture, storage or keeping for sale of any such articles or to any powerlooms that may be found in such place as he may think fit for the purposes of carrying into effect the provisions of this Act.

Power to enter and inspect.

8. (1) If the authorised officer has any reason to believe that,—

Power to search and seize.

(a) any article or class of articles specified in any order made under section 3 is being produced in any place in contravention of such order; or

(b) any article or class of articles produced in contravention of such order are secreted in any place; or

(c) any article or class of articles is liable to forfeiture under this Act,

he may enter into and search such place or premises for such article, or class of articles or any powerloom which in the opinion of the authorised officer may have been used for the production of such article or class of articles.

(2) Where, as a result of any search made under sub-section (1), any article or class of articles or any powerloom has been found and the authorised officer has reason to believe that such article or class of articles has been produced, or such powerloom has been used for the production of any article or class of articles, in contravention of any order made under section 3, he may seize such article, class of articles or powerloom, together with the package, covering or receptacle, if any, in which such article or class of articles is found:

Provided that where it is not practicable to seize any article or powerloom, the authorised officer may serve on the owner of the article or the powerloom, as the case may be, an order that he shall not remove, part with, or otherwise deal with, the article or powerloom except with the previous permission of such authorised officer.

(3) Where any article or powerloom is seized under sub-section (2) and no prosecution has been launched within six months of such seizure, it shall be returned to the person from whose possession it was seized.

(4) The authorised officer may also seize any documents or things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act.

(5) The person from whose custody any documents are seized under sub-section (4) shall be entitled to make copies thereof or take extracts therefrom in the presence of the authorised officer.

(6) If any person legally entitled to the documents or things seized under sub-section (4) objects, for any reason, to the retention by the authorised officer of the documents or things, he may make an application to the Central Government stating therein the reasons for such objection and requesting for the return of the documents or things.

(7) On receipt of an application under sub-section (6), the Central Government may, after giving the applicant an opportunity of being heard, pass such order as it may think fit.

9. The provisions of the Code of Criminal Procedure, 1973, relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this Act.

2 of 1974.

Search and seizure to be made in accordance with the Code of Criminal Procedure, 1973.

Penalty for contravention of orders made under section 3.

10. Whoever produces any article or class of articles in contravention of an order made under section 3,—

(a) shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees per loom by which the said article or class of articles is produced, or with both, and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees per loom for every day during which such contravention continues after conviction for the first such contravention; and

(b) the article or class of articles in respect of which the order has been contravened or any powerloom by the use of which such order is contravened, including any package, covering or receptacle in which the article or class of articles is found, shall be forfeited to the Central Government:

Provided that if the court is of opinion that it is not necessary to direct forfeiture in respect of any of the articles, powerloom or any package, covering or receptacle, it may, for reasons to be recorded, refrain from doing so.

11. If any person,—

(a) when required by any order made under section 6 to furnish any information or sample, makes any statement or furnishes any information which is false in any material particular and which he knows, or has reasonable cause to believe, to be false or does not believe it to be true, or fails to furnish such sample or damages or destroys any article from which such sample was required; or

False statement.

(b) when required by the authorised officer under section 7 to produce any books of account, registers, records or other documents, fails to produce, or damages or destroys any such books, registers or other documents,

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

12. Any person who attempts to contravene or abets the contravention of any order made under section 3 shall be deemed to have contravened that order.

Attempt and abetment.

13. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means any body corporate and includes a co-operative society registered or deemed to be registered under any law for the time being in force, a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

2 of 1974.

14. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence punishable under this Act shall be cognizable.

Offences to be cognizable.

15. The Central Government may by order direct that the powers exercisable by it under any provision of this Act other than the power to make orders under section 3 or under section 18 or to make rules under section 19, shall in relation to such matters and subject to such conditions if any, as may be specified in the direction, be exercisable also by—

Power to delegate.

(a) such officer or authority subordinate to the Central Government; or

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6 Handlooms (Reservation of Articles for Production) [ACT 22 OF 1985]

(b) such State Government or such officer or authority subordinate to a State Government, as may be specified in the direction.

Power of Central Government to give directions.

16. The Central Government may give such directions as it may consider necessary to a State Government as to the carrying into execution of the provisions of this Act.

Protection of action taken in good faith. Power to exempt.

17. No suit, prosecution or other legal proceeding shall lie against the Central Government, State Government or any officer or employee of the Central Government or of any State Government or any authorised officer for anything which is in good faith done or intended to be done under this Act or an order made under section 3.

18. (1) If the Central Government is satisfied that the demand for any article or class of articles reserved by an order under section 3 outside India is such that it is not possible for the handloom industry to meet such demand or any such article or class of articles is required to be produced for purposes of research or for the development of markets for such article or class of articles or of the handloom industry generally, it is necessary or expedient so to do, it may, by order published in the Official Gazette, exempt such article or class of articles from the operation of such order, and permit such article or class of articles to be produced by any powerloom solely for the purposes of export or for research by such institutions as may be specified in the order.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

19. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

MINISTRY OF TEXTILES

ORDER

New Delhi, the 3rd September, 2008

S.O. 2160(E).— In exercise of the powers conferred by sub-section (1) of section 3 of the Handlooms (Reservation of Articles for Production) Act, 1985 (22 of 1985), and in supersession of the order of the Government of India, in the Ministry of Textiles, number S.O. 557(E), dated the 26th July, 1996, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied, after considering the recommendations made to it by the Advisory Committee that it is necessary to do for the protection and development of the handloom industry, hereby directs that the article or class of articles specified in column (2) of the Table below, shall with immediate effect, be reserved for exclusive production by handlooms upto the range specified in column (3), namely:-

TABLE

Sl. No.	Article or class of articles	Range reserved for exclusive production by handlooms
(1)	(2)	(3)
1.	Saree	<p>A Saree is a fabric made out of hundred percent. cotton yarn or hundred percent. silk yarn or in any combination thereof and includes a saree made in blends or union with upto forty-five percent. by weight of man-made fibres or yarn in combination with cotton yarn or silk yarn and is characterised by one or more of the following -</p> <p>(i) has extra warp and/or extra weft design in the border and /or heading and/or body, including buttas containing any yarn including metallic or metallised yarn or zari or any combination of thereof;</p> <p>(ii) has a solid woven border;</p> <p>(iii) has tie and dyed yarn warp-wise and/or weft-wise, but does not include-</p> <p>(i) crepe, chiffon, chinon, georgettes and cotton voile saree;</p> <p>(ii) grey or bleached silk saree having a border in extra warp design.</p>
2.	Dhoti	<p>Dhoti is a fabric made out of hundred percent. cotton yarn or hundred percent. silk yarn or in any combination thereof and includes a dhoti made in blends, or union with upto forty-five percent. by weight of man-made fibres or yarn in combination with cotton yarn or silk yarn which has an extra warp design of more than 14mm width including selvedge in the border, and/or extra weft heading of more than 14mm width.</p>

7.	Dress Material	Dress Material including Mashru cloth made out of cotton yarn and/or silk yarn (including spun silk) and/or art silk yarn and/or tie and dyed yarn or in any combination thereof, woven with extra weft design in the border and/or body irrespective of count and dimensions and includes Telia Rumal and Real Madras Handkerchief.
8.	Barrack Blankets and Kambal or Kamblies	<p>(a) Barrack blanket means a thick fabric made of wool of about 34 microns and above, with fibrous surface, produced by milling and raising and includes barrack blankets made by using hand spun or mill spun woollen yarn from natural grey or black wool or combination thereof, and produced in any size or weave.</p> <p>(b) Kambal or kamblies means a thick fabric made of wool of about 34 microns and above, with fibrous surface, produced by milling and raising and includes kambal or kamblies made by using hand-spun or mill-spun worsted yarn, woollen yarn or combination thereof, in plain, stripe or check design.</p> <p>Explanation.- For the purpose of this order, items (a) and (b) shall not include barrack blanket, kambal or kamblies made out of shoddy yarn, i.e, a cheaper class of woollen yarn made from reused or recycled wool and synthetic rags.</p>
9.	Shawl, Muffler, etc. Loi, Pankhi	<p>Shawl is a piece of cloth woven from worsted yarn or woollen yarn or Pashmina yarn or pure silk yarn or cotton yarn and/or any combination thereof, which is used for covering body or worn over the shoulders without being put to any tailoring process and includes,-</p> <p>(A) a shawl-</p> <p>(i) which is woven with extra weft design, using woollen yarn or worsted yarn or pashmina yarn or pure silk yarn or cotton yarn and/or any combination thereof or in blends with other fibers which may be natural and/or man-made or synthetic, with dobby or jacquard design up to 400 hoods;</p> <p>(ii) which is woven using any type of woollen yarn, worsted yarn or pashmina yarn or pure silk yarn or cotton yarn and/or any combination thereof;</p> <p>(iii) which is woven with any count of yarn; and</p> <p>(iv) which is woven in any length, width and weight;</p> <p>(B) Loi, pankhi, mufflers, traditional shawls like kullu, kinnauri, khani, pashmina, dhori, lirancha (Tibetan), gajari or any shawl, by whatever name called, in the north eastern region.</p> <p>Explanation.- for the purpose of this order, item (A) and (B) does not include article made from cashmelon yarn.</p>
10	Woollen Tweed	<p>Woollen tweed is a piece of fabric woven by hundred percent pure woollen yarn for making coats, jackets and dress materials and is-</p> <p>(i) produced in check or stripe design irrespective of dimensions; and</p> <p>(ii) produced in 3/1 twill weave.</p>

11	Chaddar, Mekhala Phanek or	Chaddar, Mekhala or Phanek is used for covering lower and/or upper part of the body and is manufactured from cotton yarn or silk yarn or art silk yarn or in any combination thereof, woven in plain or twill weave with check or stripe design irrespective of count and dimensions and is characterised by a border and/or cross border with extra warp and/or extra weft design and includes- (i) Puan of Mizoram; (ii) Dhara, Jainsem, Dakmanda, Daksari of Meghalaya; (iii) Skirts and Odhans fabrics of Nagaland and Arunachal Pradesh; (iv) Riha and Pachara of Tripura; (v) Pawade (set) or Dhawani of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Pondicherry; and (vi) Dhakona, Danka, Khamlet, Phanek of Assam;
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Explanation.- for the purpose of this order,-

- (a) "Chiffon" means a lightweight, open-mesh fabric, made from hard twisted silk filament yarn in plain weave;
- (b) "Butta" means extra warp and/or extra weft spots design effect in the body of a saree or dress material;
- (c) "Pawade" means an ankle-length gathered skirt often in two-piece often used with sari or dupatta;
- (d) "Odhani" means an oblong cloth of about 6 to 7 ft. long and 3 to 4 ft. wide, with overall embroidery or woven jacquard weave with traditional design like himroo shawl or made up of a fabric decorated with cotton yarn or silk yarn or zari or any other fibre and used to cover the body;
- (e) "Chinon" means a cotton or cotton blended compact plain or twill fabric mainly used as summer wear;
- (f) "Upholstery" means intricately designed jacquard fabric used for upholstering and furnishings;
- (g) "Mashru" means a mixed fabric made from cotton yarn and silk yarn and/or tie and dyed yarn;
- (h) "Mekhala" means a piece of cloth with ends sewn together which is used by women as dress or petticoat, in Assam
- (i) "Riha" means a cloth worn by women on the upper part of the body;
- (j) "Dhawani" means a saree like fabric of about 4 to 5 yards in length used by girls;
- (k) "Puan" means a cloth used for covering lower and/or upper part of the body, manufactured from cotton yarn or silk yarn or art silk yarn or in combination thereof, woven in plain or twill weave with check or stripe design and used commonly in Mizoram;
- (l) "Dhara" means a cloth used for covering the lower/ or upper part of the body manufactured from cotton or silk or combination thereof, in plain or twill weave with check or stripe design, used commonly in Meghalaya and also commonly known as "Jainsem" or "Daksari" or "Dakmanda"
- (m) "Loi" means a cloth woven from worsted or woollen or cashmilon or pashmina or any other fibre and/or blends thereof, which are used for covering the body; and also called as "Pankhi" or "Muffler" or "Shawl" in varying dimensions;
- (n) "Dhakona" means varieties used for covering lower and/or upper part of the body manufactured from cotton or silk or combination thereof, in plain or twill weave with check and stripe designs and commonly used in Assam.

[F.No. 2/1/2008/DCI/CEO]

B. K. SINHA, Development Commissioner for Handlooms

ANNEXURE C

F.No.10/1/2010/DCH/CEO/729-738
Government of India
Ministry of Textiles
Office of the Development Commissioner for Handloom
(Enforcement Wing)

Udyog Bhawan, New Delhi,
Dated :9th November 2016

To,

The Commissioners / Directors in- Charge of Handlooms
State Government of Andhra Pradesh, West Bengal, Gujarat, Rajasthan, Madhya
Pradesh, Haryana, Tamilnadu, Uttar Pradesh, Kerala, Telangana

Sub: Revised Scheme for Central Assistance for setting up of Enforcement Machinery
in the States/ UTs under the non-plan scheme of "Implementation of the
Handlooms (Reservation of Articles for Production) Act, 1985".

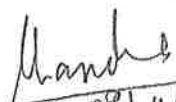
Sir/Madam,

In continuation of this office letter No. DCH/CEO/17(3-R) 85-E&S/3427 dated
30th June 2003, I am directed to forward herewith the scheme guidelines alongwith
annexures conveying the revised and enhanced central assistance under various
components of the non-plan scheme of "Implementation of the Handlooms (Reservation
of Articles for Production) act, 1985" for setting up of enforcement machinery in the
states/Uts for compliance w.e.f. 1st November 2016.

2. This has the approval of Competent Authority vide Integrated Finance Wing,
Ministry of Textiles Dairy No. 95891 dated 28.10.2016.

Encl- As above.

Yours faithfully,


(Suresh Chandra)

Chief Enforcement Officer
Ph - 23061976

F.No.10/1/2010/DCH/CEO/2029-2058
Government of India
Ministry of Textiles
Office of Development Commissioner for Handloom
(Enforcement Wing)

Udyog Bhawan, New Delhi,
Dated : 12th July 2018

To,

✓ The Commissioners / Directors in- Charge of Handlooms
(All the State Govts / UTs concerned)

Sub: Central Assistance for setting up of Enforcement Machinery in States/ UTs
under the scheme of "Implementation of the Handlooms (Reservation of Articles
for Production) Act, 1985"-reg

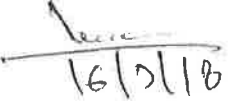
Sir,

In continuation of this office letter of even No. dated 9th November 2016,
forwarding therewith Scheme Guidelines for Central Assistance for establishment /
setting up of enforcement machinery for Implementation of the "Handlooms
(Reservation of Articles for Production) Act, 1985", para no. 2.1 of the scheme
guidelines may be read as under:

**Para 2.1 : "This scheme to set up office/s of Enforcement Machinery in the
State will be funded as per the guidelines or the actuals whichever is less."**

This issue with the approval of the Competent Authority.

Yours faithfully,


16/7/18

(Manoj Jain)

Director In charge Enforcement
Ph No.23061643

Copy to: Officer In Charges of all Weaver Service Centres.

O/C

SCHEME OF IMPLEMENTATION OF THE HANDLOOMS (RESERVATION OF ARTICLES FOR PRODUCTION) ACT-1985

Part-I: GENERAL FEATURES OF THE SCHEME.

1. Objectives:-

- 1.1 The scheme will be implemented by State Governments/Union Territories through the State Director/ Commissioner in-charge of Handlooms and is aimed at establishing Enforcement Machinery in the States to ensure that the powerloom and mill sectors do not violate the provisions of the Handlooms (Reservation of Articles for Production) Act, 1985
- 1.2 The scheme is intended to encourage and assist the State Governments/ UTs to set up State level Enforcement Machinery. In States where an Enforcement Machinery for the purpose already exists, the Central Assistance will be extended to strengthen the existing infrastructure for effective enforcement of the provision of the said Act.
- 1.3 This scheme is in addition to the implementation of the Handlooms (Reservation of Articles for Production) Act-1985 by Central Govt. agencies under the Office of the Development Commissioner for Handlooms.

2. Salient features:-

Tenure and extent of assistance

- 2.1 This scheme to set up office/s of Enforcement Machinery in the State will be fully funded by the Centre.
- 2.2 Subject to the conditions specified, the Central Assistance will be to meet Recurring and Non-recurring expenditure for the purpose on the basis indicated in Part-II below.

Part-II: STATE ENFORCEMENT MACHINERY

3. Setting up of Offices:-

- 3.1 States/Uts having 5000 or more powerlooms shall be eligible for assistance under this scheme.
- 3.2 Each State/UT will have a headquarters office of the Enforcement Machinery under the direct control of State Director/Commissioner in-charge of Handlooms.
- 3.3 Subsidiary office/s at the pockets of powerloom concentration in the State may be set up under the control of Headquarter Office. For this purpose each pocket of power loom concentration should cover at least 20000 power looms.
- 3.4 Thus, besides one Headquarters Office, each State having at least 25,000 power looms will be sanctioned one subsidiary office for each unit of 20,000 or more power looms. Ordinarily one such subsidiary centre will be considered for each additional 20,000 power looms. However, where more than 20000 powerloom are concentrated in one location/city/area, only one subsidiary centre will be allowed for each such concentrated area/city.

4. Staff Pattern:-

- 4.1 The staffing pattern for Headquarters Office and Subsidiary Offices would be as per **Annexure-A**
- 4.2 The costs indicated at **Annexure-A** are suggestive and do not necessarily prescribe the pay scales of incumbents in various posts. The consolidated salary cost mentioned at annexure 'A' or the actual salary drawn as per the pay scales of the state Government for these posts whichever is less will be considered for assistance.
- 4.3 Where a subsidiary centre is sanctioned for a location having 40,000 or more power looms, a subsidiary centre may have staff component higher than that given at **Annexure-A** provided that the total cost for such a centre does not exceed twice the cost norms given for one subsidiary centre.
- 4.4 Recurring expenditure on account of hiring building on rent, maintenance and running of vehicle and contingency expenditure will also constitute the Central Assistance. This expenditure may be higher than that given at **Annexure- A**, if more than 40000 power looms are there under the subsidiary office. However, the total cost under this expenditure does not exceed twice the cost norms given for one subsidiary office at **Annexure- A**.
- 4.5 Non-recurring expenditure for acquiring jeep/ vehicle for these offices may also be allowed subject to the ceiling specified at **Annexure-A**
- 4.6 States which have been sanctioned non-recurring expenditure during the IX, X and XI plan will not be ordinarily sanctioned this amount again.
- 4.7 Besides the norms on the number of power looms, release and sanction of funds will also depend on performance namely implementation of the Act adjudged based on the following parameters:-
 - a) Number of inspections made,
 - b) Number of power looms inspected,
 - c) Number of samples seized,
 - d) Number of power looms seized,
 - e) Number of samples tested,
 - f) Number of samples in which violation detected,
 - g) Value of products seized (in Rupees),
 - h) Number of prosecutions lodged,
 - i) Number of cases leading to imposition of penalty,
 - j) Number of cases ending in confiscation,
 - k) Value of confiscated goods,
 - l) Value realised from disposal of confiscated articles.

Part-III: PROCEDURE FOR AVAILING OF THE CENTRAL ASSISTANCE

5. Submission of proposals:-

- 5.1 The State Govts./UTs which fulfil the eligibility as enumerated at para 3 above may submit their proposals for establishment of Enforcement Machinery in their State/UTs identifying the places where field offices are to be situated with the suggestions for staff requirement and anticipated expenditure following the guidelines mentioned above alongwith their justification for the same. The proposals may be sent to the Development Commissioner for Handlooms, New Delhi for approval and release of funds.
- 5.2 Claim for grant should be submitted in the proforma, given at **Annexure-B** along with the Progress Report, which is at **Annexure-C** on quarterly/monthly basis and **Annexure-D** on monthly basis. The release in subsequent quarters will be based on the criteria enumerated at para 4 above and also actual expenditure.

6. Reports & Returns :-

- 6.1 State Govt./UTs availing of the Central Assistance under this scheme will submit utilisation certificate duly vetted by the audit at the end of each financial year alongwith requirement of funds for the subsequent year, on the basis of which funds will be released by the Central Government.
- 6.2 The offices of Enforcement Machinery set up under the State Director/Commissioner in-charge of Handlooms may report the progress made in enforcing the provisions of the Handlooms Reservation Act, to the Development Commissioner for Handlooms in the format given at **Annexure-C** on quarterly basis, and **Annexure- C & D** on monthly basis.

STAFF PATTERNSTAFF PATTERN FOR SETTING UP OF ENFORCEMENT MACHINERY IN
HEADQUARTERS OFFICES AND SUBSIDIARY OFFICES

(A) HEADQUARTERS OFFICE:

(In Rupees.)

Sl No.	Designation	Previous salary cost			Revised salary cost W.E.F 01.11.2016		
		No. of posts	Average salary pm	Total pm	Consolidated revised salary pm	No. of posts	Total Cost (per month)
1	Deputy Director/Enforcement Officer	1	19000/-	19000/-	51500/-	1	51500/-
2	Enforcement Inspector	3	12500	37500/-	33900/-	3	101700/-
3	Legal Assistant	1	12500	12500/-	33900/-	1	33900/-
4	LDC/Typist	2	6600	13200/-	17900/-	2	35800/-
5	Constable/Constable-cum-Driver	4	6600	26400/-	Nil	Nil	Nil
6	Driver (regular /contract basis)	Nil	--	--	17900/-	1	17900/-
7	Sub-Staff / Multy Tasking Staff (regular /contract basis)	Nil	--	--	17900/-	1	17900/-
	Total	11		108600		9	258700/-
8	(i) Expenditure on Salary per annum (subject to filled up posts)			1303200/-			31,04,400/-
	(ii) TA/DA per annum			100000/-			150000/-
	(iii) Recurring Exp. (Office Expense)			120000/-			180000/-
	(iv) Legal Expenses			20000			30000/-
	Total Per annum			1543200/-			34,64,400/-
	(v) Non-Recurring Expenditure for purchase of one vehicle (One Time)			300000/-			4,75,000/-

(B) SUBSIDIARY OFFICE:

Sl No.	Designation	Previous salary cost			Revised salary cost W.E.F. 01.11.2016		
		No. of posts	Average salary pm	Total pm	Consolidated revised salary pm	No. of posts	Total Cost (per month)
1	Assistant Director/ Assistant Enforcement Officer	1	14900/-	14900/-	40400/-	1	40400/-
2	Enforcement Inspector	5	12500/-	62500/-	33900/-	5	169500/-
3	LDC/Typist	2	6600/-	13200/-	17900/-	2	35800/-
4	Constable/Constable-cum-Driver	8	6600/-	52800/-	Nil	Nil	Nil
5	Driver(regular /contract basis)	Nil	--	--	17900/-	1	17900/-
6	Sub-Staff (for MTS) (regular /contract basis)	Nil	--	--	17900/-	1	17900/-
	Total	16		143400		10	281500
7	(i) Expenditure on Salary per annum (subject to filled up posts)			1720800/-			33,78,000/-
	(ii) TA/DA per annum			106000/-			159000/-
	(iii) Recurring Exp. (Office Expense)			120000/-			180000/-
	(iv) Legal Expenses			20000/-			30000/-
	Total Per annum			1966800/-			37,47,000/-
	(v) Non-Recurring Expenditure for purchase of one vehicle (One Time)			300000/-			4,75,000/-

Annexure-B

Format of claim for the Quarter.....

Sl. No.	Item	Expenditure incurred up to the preceding Quarter	Expenditure incurred during the present Quarter	Total releases made so far	Balance claimed
1.	Salary				
2.	TA/DA				
3.	Legal Expenses				
4.	Other Recurring Expenditure				
5.	Non-Recurring Expenditure				
	TOTAL				

PART-II

Please furnish the filled up posts details in the quarter against each designation mentioned in the staff pattern for Headquarters office and subsidiary Offices separately.

Certificate:- Certified that the information given above is true.
(Certificate to be given by the Deputy Director/Enforcement Officer-in-Charge of the Head Quarters Office)

Countersigned
Commissioner/ Director in-charge of Handlooms.

Annexure-C

Quarterly/Monthly progress report on implementation of the Handlooms
(Reservation of Articles for Production) Act, 1985

Name of the State/UT.....Report for the quarter/month ending.....

Sl. No	Item	Achievement till the end of preceding Quarter / months	Achievement during the Quarter / months	Cumulative achievement	Remark/ Reasons for short fall if any
1.	Number of inspections made				
2.	Number of power-looms inspected				
3.	Number of samples seized				
4.	Number of Power-looms seized				
5.	Number of samples tested				
6.	Number of samples in which violation detected				
7.	Value of products seized (in rupees)				
8.	Number of prosecutions lodged				
9.	Number of cases leading to imposition of penalty				
10.	Number of samples ending in confiscation				
11.	Value of confiscated goods				
12.	Value realised from disposal of confiscated articles				

