

**GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
OFFICE OF THE TEXTILE COMMISSIONER
POST BAG NO.11500 MUMBAI-400 020**

No.3/TDRO/9/2003/

Dated 21st November, 03.

PUBLIC NOTICE

Sub:- Enforcement of provisions of the Textiles (Consumer Protection) Regulation, 1988, in respect of indigenously manufactured and imported textiles, namely tops, yarn and cloth.

The Textile Industry and Trade are aware that the Textile Commissioner had issued a notification No. CER (18)/88/ CLB dated 7/3/88 called the Textiles (Consumer Protection) Regulation, 1988, which is now deemed to have been issued under the provisions of the Textile (Development & Regulation) Order, 2001, an order under section 3 of Essential Commodities Act.1955, prescribes the statutory markings required on tops, yarn and cloth that are sold in India, irrespective of whether such textiles are manufactured in India or imported into India, with the objective of safeguarding the interest of the textile consumers. It was also clarified by the Textile Commissioner, vide Public Notice No.TDRO/CLB/98/Misc./1 Dated 22.7.1998,that all the provisions contained in the Textile (Consumer Protection) Regulation, 1988, are also applicable to the imported textiles and that textiles imported into India should bear all the statutory markings/stampings prescribed thereunder. Further in terms of the Public Notice No.TDRO/CLB/98/Misc./2 Dated 16.11.1998,issued by the Textile Commissioner, it was reiterated/emphasized that all the textiles sold in India should contain/bear the markings prescribed under the Textiles (Consumer Protection) Regulation, 1988.

2. On the removal of various textile items from the purview of Essential Commodities Act, 1955 vide S.O.206 (E) & S.O.207 (E) dated 15.2.2002 issued by Ministry of Consumer Affairs, Food and Public Distribution, Government of India, the provisions of the Textiles (Consumer Protection) Regulation, 1988, are now applicable only to the following items of textiles :

- 1) Tops containing wool
- 2) Yarn made wholly from cotton
- 3) Cloth containing cotton or wool

3. The provisions of Textiles (Consumer Protection) Regulation, 1988, are applicable to indigenously manufactured textiles as well as imported textiles, as clarified vide public notice dated 22/7/1998 and 16/11/1998.The provisions and directions contained in the Textiles (Consumer Protection) Regulation.1988 are statutory provisions and directions are mandatory on the part of the manufacturers, processors including hand processors, traders, wholesalers, semi-wholesalers, cutting and packing houses, shops and establishment holders, retailers and stockists, etc. to comply with the provisions and the directions contained in the said Notification, irrespective of whether they deal with indigenously manufactured tops, yarn, cloth/or imported tops, yarn, cloth.

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4. As per the provisions of Textile (Consumer Protection) Regulation, 1988, no fake or misleading markings shall be made on tops, yarn and cloth and no person shall offer or store for sale such goods with fake or misleading markings or without the statutory markings.

5. For the benefit of all consumers of tops, yarn and cloth including general public, the markings to be made on tops, yarn and cloth as prescribed under the Textile (Consumer Protection) Regulation, 1988 are mentioned below:

I. MARKING TO BE MADE ON TOPS :-

On paper label securely pasted on the outside of each package containing tops, the following markings shall be made :

- (a) Name and address of the manufacturer.
- (b) The net weight in Kg,
- (c) Mean fibre length (in mm) / Micron.
- (d) In case of blended tops, the words “Blended Tops” followed by exact percentage including standard moisture regain of each of the different types of fibre present in the tops packed, as illustrated below:

Wool	-	45%
Polyester	-	40%
Viscose	-	15%

II. MARKING TO BE MADE ON YARN MADE WHOLLY FROM COTTON :-

The following markings shall be made on yarn made wholly made from cotton by the manufacturers, on paper label securely pasted or attached on the bundle / package of yarn :

- (a) Name and address of the manufacturer.
- (b) The words ”Cotton Yarn “
- (c) Count of yarn in English count along with fold and plies wherever applicable.
- (d) C.S.P. value.
- (e) Net weight in Kg.
- (f) Month and Year of packing.

NOTE :

In case of yarn on cones, the label containing the prescribed markings as above may be pasted inside the cone and in case of yarn on beam, the label containing the markings may be securely fastened to the beam.

III MARKINGS TO BE MADE ON CLOTH :-

The following markings shall be made on the face plait of each piece of cloth ;

- (a) Name and addresses of manufacturer and the person who causes such manufacture, if any.
- (b) Description of the cloth, for example “Dhoti”; “Saree”, “Shirting”, “Suiting”.
- (c) Sort number of the cloth.
- (d) Length in “Metres” and width in “Cm”.
- (e) “Fast to normal washing “, or “Not Fast to normal washing” as the case may be, words “Preshrunk” or “Mercerised”, or any other process actually carried out, as the case may be.
- (f) The words “Seconds” or “Damaged Piece/ Defective Piece” when the piece of cloth is classified as “Seconds” or “Damaged Piece/ Defective Piece”, as the case may be.
- (g) Month and Year of packing.
- (h) The exact composition of the cloth expressed in percentage by weight of each of the individual constituents to the total yarn content of both warp and weft put together, as illustrated below:-

Cotton	--	100%
		or
Wool	---	100%

In case of Blended cloth, the words “Blended Fabric” followed by the generic name of each constituent and its exact percentage by weight in the descending order shall be stamped, as illustrated below :-

Cotton	---	60%
Polyester	----	40%
		or
Polyester	---	60%
Wool	---	40%

The fibre composition shall also be marked on the every alternate meter of the cloth at a height not exceeding 2.5 cm from the selvedge.

NOTE :

In the case of embroidered cloth (i.e. cloth decorated with designs formed by extra threads with help of needles), meshcloth, towels, furnishing fabrics, tapestry cloth, jacquard cloth, corduroy cloth, woollen suit piece length, handkerchief, raised blanket, bed sheet and lintcloth, the markings may be made either on the face plait of such cloth or on the piece of cloth or paper securely stitched or stuck on the face plait of such cloth.

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IV. MARKINGS TO BE MADE ON BALES OR OTHER PACKAGES :-

The following markings shall be made on every bale, wooden case or other package of cloth/yarn :

- (a) Name of the manufacturer.
- (b) Month and Year of packing.
- (c) The word "Grey " or "Bleached" or "Coloured" correctly describing the entire contents of such bale, case or package under one or other of these descriptions.
- (d) "Chindies", "Rags", "Fents", "Seconds or " Damaged Pieces/ Defective Pieces" as the case may be.
- (e) When a bale or package contains yarn, the following markings should be made on each bale / bag :
 - (i) Name of the manufacturer.
 - (ii) Counts of yarn.
 - (iii) The month and year of packing.
 - (iv) Gross weight in Kg.

6. It has been noticed that the awareness and compliance levels in regard to the said regulations amongst importers and dealers of textiles is far from satisfactory .It has come to the notice of this office that in the case of most of the consignments of imported textiles, the essential markings as prescribed under Textiles (Consumer Protection) Regulation, 1988, had either not been stamped at all or are deficiently stamped thereon.

7. It has also come to the notice of this office that imported cloth bearing fake/misleading/spurious/ fictitious markings such as 150s wool, made in Italy etc., are sold, when the actual quality is of 80s wool, and the actual import is from the other countries, with the sole objective of deceiving domestic consumers of such cloth. Similarly it has come to the notice of this office that certain domestic manufacturers of cloth indulge in the manufacture and supply of the duplicate cloth by way of marking the cloth manufactured by them as if it had been manufactured by some reputed mills, thus deceiving the consumer of cloth.

8. Such violations or non-compliance or partial compliance of the provisions and directions in the said notification amount to the violation/contravention/non-compliance of the relevant provisions and directions contained in the Essential Commodities Act, 1955, since Textile (Consumer Protection) Regulation, 1988, is deemed to had been issued under clause – 9 of the Textile (Development & Regulation) Order, 2001, an order issued under Section-3 of the Essential Commodities Act, 1955. Therefore, tops, yarn and cloth which do not contain the statutory marking specified in the said notification and the tops, yarn and cloth which contain partial/incomplete markings, defective markings, misleading markings, fake markings, spurious markings, incorrect markings, illegible markings and counterfeit goods / markings (i.e. contravened goods / offended goods) shall be seized at once in terms of

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the provisions of Section-3 of Essential Commodities Act, 1955, and reported to the District Collector for confiscation of contravened goods / offended goods in terms of the provisions of Section-6-A of the Essential Commodities Act, 1955. Thereafter, a First Information Report, shall be filed before appropriate Police Authority for prosecution of the offenders, under the penal provisions of Essential Commodities Act, 1955.

9. It is brought to the notice of all concerned that the Regional Offices of the Textile Commissioner will keep a close watch on the supply of the cloth both imported as well as indigenous in the textile markets at their respective jurisdictional areas and if any such cloth with fake /misleading/ deficit/spurious/duplicate marking are detected, they shall immediately take necessary action as mentioned above without any further notice .

Sd/-
(SUBODH KUMAR)
TEXTILE COMMISSIONER

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(T. L. BALAKUMAR)
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