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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

**GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—LAW DEPARTMENT.**

Srinagar, 14th August, 2006.

The following Act as passed by the Jammu and Kashmir State Legislature received the assent of the Governor on 9th August, 2006 and is hereby published for general information :—

IV
**JAMMU AND KASHMIR PROHIBITION ON
MANUFACTURE OF SPECIFIED COPPER UTENSILS
(BY MACHINE) ACT, 2006.**

(Act No. XIII of 2006)

[9th August, 2006.]

An Act to provide for safeguarding the manufacture of specified copper utensils by hand to protect this old-age craft from extinction.

Be it enacted by the Jammu and Kashmir State Legislature in the Fifty-seventh Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Prohibition on Manufacture of Specified Copper Utensils (By Machine) Act, 2006.

(2) It extends to the whole of the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Government may, by notification in the Government Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires —

(a) "Act" means the Jammu and Kashmir Prohibition on Manufacture of Specified Copper Utensils (By Machine) Act, 2006;

(b) "Government" means the Government of Jammu and Kashmir;

(c) "Machine" means and includes any machine which is used for manufacturing the utensils other than the tools used for manufacture of specified copper utensils by hand;

(d) "Prescribed" means prescribed by rules made under this Act;

(e) "Prescribed Authority" means an officer appointed as such under section 4;

(f) "Specified Copper Utensils" means the following copper utensils of any shape and size which are manufactured by hand; namely:—

- (i) Trami (ii) Sarposh (iii) Dunga (iv) Majma (v) Plates (vi) Turu
- (vii) Thalbana (viii) Kanzi (ix) Nari (x) Tesht (xi) Dullo (xii) Patila
- (xiii) Deghas (xiv) Leizi (xv) Nuto (xvi) Pialo (xvii) Norelota
- (xviii) Gurgari (xix) Isband Soze (xx) Chaichoncha (xxi) Pialonoro
- (xxii) Samawar (xxiii) Lemon Set (xxiv) Chani;

(g) "Special Tribunal" means the Special Tribunal constituted under section 4 of the Jammu and Kashmir Special Tribunal Act, 1988.

3. *Ban on manufacture of copper utensils by machine.*—Notwithstanding anything contained in any law for the time being in force, no person shall engage himself in the manufacture of any specified copper utensils by machine.

4. *Prescribed authority.*—Director, Industries and Commerce or such other officer as the Government may appoint shall be the prescribed authority for purpose of the Act.

5. *Act not to apply to certain items.*—The provisions of the Act shall not apply to items made of copper other than the specified copper utensils.

6. *Violation of the Act.*— Any person may give information to the prescribed authority about the violation of the provisions of the Act.

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7. *Power to seize and confiscate.*—(1) The copper utensils manufactured in violation of the Act shall be liable to confiscation and seizure by the prescribed authority or any officer specifically empowered by the prescribed authority under the Act.

(2) The goods seized under sub-section (1) shall be disposed of by the prescribed authority in the prescribed manner.

8. *Penalty.*— Any person who involves himself in manufacture or sale of machine made specified copper utensils shall, on conviction by the Chief Judicial Magistrate, be punishable with simple imprisonment, which may extend to one year and with fine up to Rs. 1000/- or with both.

9. *Appeal.*— Any person aggrieved by any order of the prescribed authority under section 7 may prefer an appeal before the Special Tribunal within a period of 90 days from the date of order.

10. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of the Act, the Government may, by order published in the Government Gazette, make provisions, not inconsistent with the provisions of the Act, as appear to it to be necessary or expedient, for removing the difficulty.

11. *Power to make rules.*—The Government may, by notification in the Government Gazette, make rules for carrying out the purposes of the Act.

(Sd.) G. H. TANTRAY,

Special Secretary to Government,
Law Department.