



## The Bombay Khadi and Village Industries (Gujarat Amendment) Act, 1964

27 of 1964

### Keyword(s):

Khadi, Village, Industries, Rural Area, Cottage Industry

Amendments appended: 17 of 1965, 15 of 1990

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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 23rd October 1964 is hereby published for general information.

AKBAR S. SARELA,  
Secretary to the Government of Gujarat,  
Legal Department.

GUJARAT ACT NO. 27 OF 1964.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 28th October 1964).

An Act, to amend the Bombay Khadi and Village Industries Act, 1960.

It is hereby enacted in the Fifteenth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Khadi and Village Industries (Gujarat Short title Amendment) Act, 1964.

2. In the Bombay Khadi and Village Industries Act, 1960, after section 26, the following shall be inserted, namely :—

Insertion of new section 26A in Bom. XIX of 1960.

"26A. If any amount due to the Board in accordance with the terms of a contract or otherwise or any sum payable in connection therewith, has not been paid, the amount or, as the case may be, the sum shall, without prejudice to any other remedy provided by law, be recoverable as an arrear of land revenue on a certificate in the prescribed form being issued by the Board to the Collector."



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**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated  
 and Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st May 1965 is hereby published for general information.

B. V. PARANJPE,  
 Joint Secretary to Government of Gujarat,  
 Legal Department.

**GUJARAT ACT NO. 17 OF 1965**

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 5th June 1965.)

An Act to amend the Bombay Khadi and Village Industries Act, 1960.

It is hereby enacted in the Sixteenth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Khadi and Village Industries (Gujarat short title. Amendment) Act, 1965.

2. In the Bombay Khadi and Village Industries Act, 1960 (hereinafter referred to as "the principal Act"), in section 4, in sub-sections (3) and (4), for the word "allowances" the word "emoluments" shall be and shall be deemed always to have been substituted.

3. In section 29 of the principal Act, in clause (a) of sub-section (2), for the word "allowances" the word "emoluments" shall be and shall be deemed always to have been substituted.



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**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and  
 Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the Governor on the 31st July, 1990 is hereby published for general information.

**R. M. MEHTA,**  
 Secretary to the Government of Gujarat,  
 Legal Department.

**GUJARAT ACT NO. 15 OF 1990.**

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 31st July, 1990).

**AN ACT**

*further to amend the Bombay Khadi and Village Industries Act, 1960.*

It is hereby enacted in the Forty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Bombay Khadi and Village Industries (Gujarat Amendment) Act, 1990.

Short title  
and com-  
mencement.

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

2. In the Bombay Khadi and Village Industries Act, 1960 (hereinafter referred to as "the principal Act"), in section 2, for clause (f), the following shall be substituted, namely:—

Amendment  
of section 2  
of Bom.  
XIX of 1960.

“(f) “village industry” means,—

(i) any industry located in a rural area which produces any goods or renders any service with or without the use of power and in which the fixed capital investment per head of an artisan or a worker does not exceed fifteen thousand rupees or such other sum as may, by notification in the *Official Gazette*, be specified from time to time by the State Government :

Provided that any industry specified in the Schedule and located in an area other than a rural area and recognised as a village industry at any time before the commencement of the Bombay Khadi and Village Industries (Gujarat Amendment) Act, 1990 shall, notwithstanding anything contained in this sub-clause, continue to be a village industry under this Act;

Gal. 15  
of 1990.

(ii) any other non-manufacturing unit established for the sole purpose of promoting, maintaining, assisting, servicing (including mother units) or managing any village industry;

*Explanation* — For the purpose of this clause,—

(a) “fixed capital investment” includes investment in plant and machinery and land and building of an industry;

(b) “rural area” means the area comprised in any village, and includes the area comprised in any town, the population of which does not exceed ten thousand or such other figure as the State Government may, by notification in the *Official Gazette*, specify from time to time.”

3. In the principal Act, after section 4, the following sections shall be inserted, namely:—

Insertion of  
new sections  
4A and 4B  
in Hon.  
XIX of 1990.

“4A. A person shall be disqualified for being appointed as, or for being, a member of the Board, if—

- (a) he is or is found to be a lunatic or a person of unsound mind; or
- (b) he is adjudged insolvent; or
- (c) he has been convicted of an offence involving moral turpitude; or
- (d) he has any financial interest in any subsisting contract made with or in any work being done by the Board, except as a shareholder (other than a Director) in a company as defined in section 3 of the Companies Act, 1956;

I of 1990.

Provided that where he is a shareholder, he shall disclose to the State Government the nature and extent of shares held by him in such a company; or

(e) he has any financial interest in any business dealing of the Board with any village industry; or

Disqualifi-  
cation for  
membership  
of Board.

(f) he being an office bearer of a village industry is held responsible by the Board for any default in payment of its dues by village industry to the Board; or

(g) he holds any office of profit under the Board; or

(h) he has directly or indirectly, by himself or his partner or by a member of his family any share or interest in any transaction of loan of money borrowed by any village industry from the Board; or

(i) he has directly or indirectly by himself or his partner or by a member of his family any share or interest in any work done by the order of the Board.

4B. The State Government may, by notification in the *Official Gazette*, remove from office any member of the Board, who—

Removal of member of the Board.

(a) is or becomes subject to any of the disqualifications mentioned in section 4A; or

(b) in the opinion of the State Government has failed or is unable to carry out his duties as such member; or

(c) absents himself from three consecutive meetings of the Board without the leave of the Board:

Provided that before issuing any such notification, the State Government shall give an opportunity to the member concerned to show cause against such removal."

4. In the principal Act, for section 5, the following section shall be substituted, namely:—

Substitution of section 5 of Bom. XIX of 1960.

"5. When a member of a Board resigns as provided in section 4 or is removed by a notification issued under section 4 B or dies, he shall cease to be a member of the Board from the date of acceptance of resignation or the date of the notification issued under section 4B or, as the case may be, the date of death and the vacancy occurring on such ceasing shall be filled by the State Government as early as may be practicable:

Vacancy to be filled as early as practicable.

Provided that during any such vacancy the continuing members may act as if no vacancy had occurred."

5. In the principal Act, in section 10, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment of section 10 of Bom. XIX of 1960.

"(2) Every contract shall be made on behalf of a Board by the Chairman, the Vice-Chairman, the Secretary, or the Chairman of the Divisional Committee or an officer of the Board empowered in that behalf by a Board."

Amendment  
of section 21  
of Bom. XIX  
of 1960.

6. In the principal Act, in section 21, in sub-section (3),—

(i) for the letters and figures "Rs. 500" the letters and figures "Rs. 5000" shall be substituted; and

(ii) for the letters and figures "Rs. 5000", the letters and figures "Rs. 50,000" shall be substituted.

Substitution  
of section 26  
of Bom.  
XIX of 1960.

7. In the principal Act, for section 26, the following section shall be substituted, namely:—

Direction by  
State  
Government.

"26. (1) In discharge of its functions, the Board shall be guided by such directions as may be given to it by the State Government from time to time.

(2) Where the Board makes persistent default in complying with or in giving effect to any directions given to it by the State Government under sub-section (1), it shall be lawful for the State Government to dissolve the Board under section 31."

Insertion of  
new sections  
26AA and  
26AB in  
Bom. XIX  
of 1960.

8. In the principal Act, after section 26, the following sections shall be inserted, namely:—

Liability of  
members for  
loss, waste  
or misappli-  
cation.

"26AA. (1) Every member of the Board or its Committee shall be personally liable for the loss, waste, or misapplication of any money or other property of the Board to which he has been party, or which has been caused or facilitated by his misconduct or gross neglect of his duty as a member.

(2) If after giving the member concerned a reasonable opportunity for showing cause to the contrary, an officer authorised by the State Government is satisfied that the loss, waste or misapplication of any money or other property of the Board is a direct consequence of misconduct or gross negligence on his part, the officer so authorised shall, by an order in writing, direct such member to pay to the Board before a fixed date, the amount required to be reimbursed to it for such loss, waste or mis-application."

(3) If the amount is not so paid, it shall be recovered as an arrear of land revenue and credited to the fund of the Board.

(4) Any person aggrieved by the decision or action of the officer so authorised may apply to the District Court within one month of the decision or action for redress of his grievance and that court may, after taking such evidence as it thinks necessary, confirm, modify or remit the payment to the Board.

Power of  
authorised  
officer to  
recover  
record and  
money.

26AB. (1) Where, the officer authorised in this behalf by the State Government is of the opinion that any person, who in his capacity as a member, officer, servant, or secretary of the Board had, in his custody, any record, money or other property belonging to the Board, is after his retirement, re-

removal or suspension from office, as the case may be, not likely to deliver such record or property or pay such money, the officer so authorised may, by a written order, require that the record, property or money so detained be delivered or paid to the Board forthwith.

(2) If any such person as aforesaid shall not deliver the record or property or pay the money as directed, the officer so authorised may cause him to be apprehended and may send him with a warrant in such form as may be prescribed to be confined in a civil jail till he delivers the record or property or pays the money :

Provided that no such person shall be so detained in confinement for a period longer than one calendar month.

(3) It shall be lawful for the officer so authorised—

(a) for recovering any such money to direct that such money be recovered as an arrear of land revenue and on such direction being given, such money shall be recoverable as an arrear of land revenue from such person;

(b) for recovering any such record or property to issue a search warrant and to exercise all such powers with respect thereto as may lawfully be exercised by Magistrate under the provisions of Chapter 7 of the Code of Criminal Procedure, 1973.

(4) No action under sub-section (1), (2) or (3) shall be taken unless reasonable opportunity has been given to the person concerned to show cause why such action should not be taken against him."

9. In the principal Act, in section 31, the following Explanation shall be added at the end; namely:—

"Explanation:—For the purposes of this section, mere appointment of additional members in a Board shall not be deemed to be reconstitution or reorganisation of that Board".

Amendment  
of sub-  
section 31 of  
Sec. XII  
of 1965.

#### SCHEDULE

[See section 2(f)]

#### Group--I Village Industries.

- (1) Bee-keeping.
- (2) Cottage Pottery Industry.
- (3) Cottage Match Industry, Manufacture of Fire works and *Agarbattis* (Cottage Match Industry).
- (4) Cottage Soap Industry.



- (5) Flaying, Curring, Tanning of hides and skins and ancillary Industries connected with same and Cottage Leather Industry.
- (6) Ghani Oil Industry.
- (7) Hand Made Paper Industry.
- (8) Manufacture of Cane Gur and Khandsari.
- (9) Palmgummaking and other Palm Products Industry.
- (10) Processing, Packing and marketing of Cereals, Pulses, Spices, Condiments, Masalas etc. (Processing of Cereals and Pulses)
- (11) Fibre (Other than coir) Industry.
- (12) Blacksmithy and Carpentry (Manufacturing and serving not involving the use of power, but in the case of Manufacture of *Ambar Charkhas* and their accessories power may be used).
- (13) Gobar Gas Plant, Manufacture of and use of manure and methane gas from cow-dung and other waste products (such as flesh of dead animals, night soil, etc).
- (14) Lime stone, lime shell and other lime products Industry (Lime stone and its products).
- (15) Manufacture of shellac.
- (16) Collection of forest and fruits for medicinal purposes
- (17) Fruits and vegetable processing, preservation and canning including pickles (Fruit processing and fruit preservation).
- (18) Manufacture of House hold utensils from Aluminium.
- (19) Bamboo and Cane work.
- (20) "Poly *Vastra*" means any cloth woven on handloom in India, from yarn hand spun in India from a mixture of man made fibre with either cotton, silk or wool or with two or all of them or from a mixture of man made fibre yarn hand spun in India with either cotton, silk or woollen yarn and spun in India or with any two or all of such yarns.

#### Village Industries

##### Group-II : Mineral Based Industry.

- (1) Stone cutting, Crushing, Carving and engraving for Temples and Building.
- (2) Utility articles.

- (3) Slate and slate pencil making.
- (4) Manufacture of Plaster of Paris.
- (5) Utensil Washing Powder.
- (6) Fuel briquetting.
- (7) Jewellery out of Gold; Silver, Stone, Shell and Synthetic materials.
- (8) Manufacture of *Gulal-Rangoli*.
- (9) Manufacture of Bangles.
- (10) Manufacture of Paints, Pigments, Varnishes and Distemper.

**Group-III Forest Based Industry.**

- (1) *Khus tattis* and broom making.
- (2) Collection, Processing and packing of Forest products.
- (3) Photo Framing.
- (4) Manufacture of Jute Products (under Fibre Industry.)

**Group-IV : Agro Based and Food Industry.**

- (1) Pithwork manufacture of pith Mats and Garlands etc.
- (2). Cashew Processing.
- (3) Leaf Cup Making.

**Group-V Polymer and Chemical Based Industry.**

- (1) Products out of rexins, PVC, etc.
- (2) Horn and Bone including ivory products.
- (3) Candles, Camphor and sealing wax making.
- (4) Manufacture of packaging items of Plastics.
- (5) Manufacture of *Bindi*.
- (6) Manufacture of *Mehendi*.
- (7) Manufacture of Essential Oils.
- (8) Manufacture of Shampoos.

- (9) Manufacture of Hair Oils.
- (10) Detergents and Washing Powder Making (Non Toxic).

**Group—VI Engineering and Non Conventional Energy.**

- (1) Manufacture of Paper Pins, Clips, Safety Pins, Stove Pins, etc.
- (2) Manufacture of decorative bulbs, Bottles, Glass, etc.
- (3) Umbrella assembling.
- (4) Solar]Wind Energy implements.
- (5) Manufacture of handmade utensils out of Brass.
- (6) Manufacture of handmade utensils out of Copper.
- (7) Manufacture of handmade utensils out of Bell Metal.
- (8) Other articles made out of Brass, Copper and Bell Metal.
- (9) Production of Radios.
- (10) Production of Cassette Player whether or not fitted with radio.
- (11) Production of Cassette recorder whether or not fitted with radio.
- (12) Production of Voltage stabilizer.
- (13) Carved Wood and Artistic Furniture making.
- (14) Tin Smithy.
- (15) Motor Winding.
- (16) Wire Net Making.
- (17) Iron Grills Making.
- (18) Manufacture of Rural Transport-Vehicle such as : Hand Carts, Bullock Carts, Small Boats, Assembly of Bi-cycles, Cycle Riksha, Motorised Carts, etc.
- (19) Manufacture of Musical Instruments.

**Group--VII Textile Industry. (Excluding Khadi).**

- (1) Hosiery (Excluding Khadi).
- (2) Tailoring and preparation of Ready made Garments.
- (3) Batick work
- (4) Toys and Doll Making:
- (5) Thread Balls and Wollen Balling Lacchi Making
- (6) Embroidery.
- (7) Manufacture of Surgical Bandages.
- (8) Stove Wicks.

Use of  
Hand Spun  
yarn and  
Khadi only.

**Group--VIII : Service Industry.**

1. Laundry.
2. Barber
3. Plumbing
4. Servicing of Electrical Wiring and Electronic domestic appliances and equipments.
5. Repairs of diesel engines, Pump sets, etc.
6. Tyre Vulcanising Unit.
7. Agriculture servicing for sprayers, insecticide, pump sets, etc.
8. Hiring of sound systems like loud speakers, amplifier, mike, etc.
9. Battery Charging.
10. Art Board painting.
11. Cycle repair shops.
12. Masonry.