

**JOINT/SELECT COMMITTEE  
REPORTS OF LEGISLATIVE  
ASSEMBLY -1947**

**The Rubber (Production and  
Marketing) Bill**

I. List of Reports of Select Committees  
presented to the Legislative Assembly  
of the Indian Legislature in 1947.

S.No.	Short title of the Bill.	Date of presen- tation.	Date of publica- tion.
1.	The Indian Navy (Discipline) (Amendment) Bill.	3.2.1947.	15.2.1947
2.	The Motor Vehicles (Amendment) Bill.	3.2.1947.	15.2.1947
3.	The Motor Vehicles (Second Amendment) Bill.	3.2.1947.	15.2.1947
<del>4.</del>	The Foreign Exchange Regulation Bill.	3.2.1947.	15.2.1947
5.	The Industrial Disputes Bill.	3.2.1947.	15.2.1947
6.	The Railways (Transport of Goods) Bill.	17.2.1947.	1.3.1947
7.	The Banking Companies Bill.	17.2.1947.	1.3.1947
8.	The Indian Trade Unions (Amendment) Bill.	26.2.1947.	5.4.1947
9.	The Insurance (Second Amendment) Bill.	5.3.1947.	15.3.1947
10.	The Delhi and Ajmer-Merwara Rent Control Bill.	12.3.1947.	22.3.1947
11.	The Imports and Exports (Control) Bill.	12.3.1947.	22.3.1947
12.	The Income-tax and Excess Profits Tax (Amendment) Bill.	19.3.1947.	29.3.1947
13.	The Business Profits Tax Bill.	19.3.1947.	29.3.1947
14.	The Rubber (Production and Marketing) Bill.	1.4.1947.	12.4.1947
15.	The Control of Shipping Bill.	1.4.1947.	12.4.1947
16.	The Capital Issues (Continuance of Control) Bill.	7.4.1947.	12.4.1947

S.No.	Short title of the Bill.	Date of presentation.	Date of publication.
17.	The Taxation on Income (Investigation Commission) Bill.	7. 4.1947.	19. 4.19

II. List of Reports of Select Committees Presented to the ~~Legis~~ Constituent Assembly of India (Legislative) in 1947.

1. The Delhi and Ajmer-Merwara Rent Control (Amendment) Bill. 1. 12.1947. 13.12.19
2. The Delhi Premises (Requisition and Eviction) Bill. 1.12.1947. 13.12.19
3. The Extra-Provincial Jurisdiction Bill. 6.12.1947. 13.12.19

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## LEGISLATIVE ASSEMBLY

### REPORT OF THE SELECT COMMITTEE ON THE RUBBER (PRODUCTION AND MARKETING) BILL, 1947

We, the undersigned, members of the Select Committee to which the Bill to make provision for assistance to the rubber plantation industry by regulating export from and import into British India of rubber and the sale of rubber therein and by other means was referred, have considered the Bill and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

*The long title, preamble and clause 2* have been revised to indicate more precisely the scope of the Bill.

*Clause 3.*—In view of the changes we have made in the substantive provision of the Bill, the definitions of "approved" and "licensed" originally contained in sub-clause (a) of this clause will no longer be required and that sub-clause has accordingly been omitted. We have inserted the usual definitions of "export" and "import", and added to the definition of "rubber" in order to make it clear that all forms of raw rubber are covered by that expression.

*Clause 4, sub-clause (3).*—In addition to formal changes we have provided in item (i) for the nomination of two members representing manufacturers to be nominated respectively by the two principal associations in India, and one more member to be nominated by the Central Government to represent other manufacturers.

*Clause 5.*—Sub-clause (2) which is new contains the usual and necessary provision for filling casual vacancies.

*Clause 7.*—While the Board is suitably constituted for its main function of promoting the development of rubber production in the country, we consider that it is for that very reason not the ideal body to advise the Central Government regarding the fixation of price levels under clause 13 (originally clause 15). It is natural that rubber producing interests should have a much larger representation on the Board than the manufacturers of rubber articles, but in the important matter of recommending to Government the maximum or minimum prices of rubber in the Indian market, the two interests should in our opinion have an equal voice. We have therefore proposed the constitution of a Price Advisory Committee of the Board with two members elected by the Board to represent rubber producing interests and two to represent manufacturing interests, and three independent Government nominees.

*Clause 8.*—Clauses 8 and 9 of the Bill as introduced have been combined and revised, for the most part formally. We have, however, omitted the provisions requiring the Board to approve estates, approve dealers and license dealers for the purposes of the Act, and to take such steps as may be necessary for the efficient marketing of rubber. The Bill as introduced provides for a multiplicity of permits, licences and transit certificates which appears to us to be unduly cumbrous and restrictive. ~~In view of this simplification~~ we have therefore decided to omit all provisions relating to the approving and licensing of estates and dealers, the issue of purchase permits to manufacturers, and the grant of transit certificates, and in lieu thereof insert a single provision enabling the Board to control sale transactions by open general licences and special licences.

From clause 9, some re-numbering and re-arrangement of clauses have been found necessary. References to the clauses of the Bill as introduced are given in brackets.

*Clause 9 (old clauses 33 and 14).*—In sub-clause (1) express provision is made for the dissolution of the Indian Rubber Production Board which was functioning during the war period. Sub-clause (2) of old clause 14 has been slightly expanded.

*Clause 10.*—We think that the work of registering estates and owners for the purposes of the Act should be done by the Board and that there is no need to have registering officers appointed by the Provincial Governments in this behalf. The relevant rules may be made by the Central Government instead of the Provincial Government. We have accordingly omitted the original clause-11, and provided for the rules regarding registration in revised clause 25, sub-clause (2)(o).

*Clause 11.*—Although the preamble to the Bill as introduced referred to the regulation of imports and exports of rubber, there was no clause to that effect in the Bill itself. We consider that this omission should be rectified in order to make the Act self-contained, even if powers are available under the Sea Customs Act, 1878, and the recently passed Imports and Exports (Control) Act, 1947. The clause follows the provisions of the latter Act.

*Clause 13 (old clause 15).*—The clause has been recast so as to provide for fixation of minimum as well as maximum prices. As explained above, we have provided that the Central Government should consult the Price Advisory Committee of the Board and not the Board as a whole.

*Clauses 14 and 15 (old clauses 16, 17 and 19).*—In addition to the remarks we have made above against clause 8, we may note here that in the proviso to clause 14 we have exempted registered owners of estates from the necessity of obtaining licences for selling, and in sub-clause (4) of clause 15 we have provided that existing dealers and manufacturers should not be refused special licences (where necessary), except for extraordinary reasons to be recorded in writing.

*Clauses 16 to 19.*—Old clauses 18, 20, 21 and 13 formally amended.

*Clause 20.*—Old clauses 22 to 25 have been combined and simplified.

*Clauses 21 to 25.*—Old clauses 26, 30, 31, 32 and 36 with a few formal or consequential amendments.

*Clause 26 (old clause 28).*—We have suggested a uniform penalty for all offences under the Act.

*Clauses 27 and 28.*—Old clauses 29 and 35 slightly amended.

*Clause 29.*—Since there is bound to be a short interval between the commencement of the Act and the constitution of the Board, we have added this clause enabling the Central Government to take any emergent action that may be necessary during that interval.

2. In our view the most important provisions of the Bill are those relating to the scientific development of the industry and unless an adequate organisation designed to this end is expeditiously established the Bill will lose much of its value.

3. The Bill was published in Part V of the *Gazette of India*, dated the 11th January, 1947.

4. We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as now amended.

J. N. MANDAL.  
C. RAJAGOPALACHARI.  
N. SIVA RAJ.  
M. K. JINACHANDRAN.  
H. A. S. H. ISHAQ SETH.  
P. J. GRIFFITHS.  
LESLIE GWILT.

NEW DELHI ;  
*The 1st April 1947.*

(BILL AS AMENDED BY THE SELECT COMMITTEE)

(Words underlined or *sidelined* indicate the amendments suggested by the Committee; asterisks indicate omissions.)

A

BILL

*to provide for the development under central control of the rubber industry so far as regards the production and marketing of rubber, and for regulating the export from, and, import into, British India of rubber.*

WHEREAS it is expedient to provide for the development under central control of the rubber industry so far as regards the production and marketing of rubber, and for regulating the export from, and the import into, British India of rubber;

It is hereby enacted as follows:—

1. (1) This Act may be called the Rubber **Short title and extent.**  
(Production and Marketing) Act, 1947.

(2) It extends to the whole of British India.

2. It is hereby declared that it is expedient in the public interest that the Central Government should take under its control the development of the rubber industry so far as regards the production and marketing of rubber. **Declaration as to expediency of Central Government's control.**

3. In this Act, unless there is anything repugnant in the subject or context,— **Definitions.**

\* \* \* \* \*  
(a) "Board" means the Indian Rubber Board constituted under this Act;

(b) "dealer" means any person who deals in rubber whether wholesale or retail, or holds stocks of rubber, and includes the representative or agent of a dealer;

(c) "estate" means any area administered as one unit which contains land planted with rubber plants;

(d) "export" and "import" mean respectively taking out of, and bringing into, British India by sea, land or air;

(e) "manufacturer" means any person engaged in the manufacture of any article in the making of which rubber is used;

(f) "owner" includes any agent of an owner and a mortgagee in possession and a lessee of an estate;

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

(h) "rubber" means—

(i) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber plant;

(ii) the latex of any rubber plant whether fluid or coagulated in any stage of the treatment to which it is subjected during the process of conversion into rubber ;

(iii) latex (dry rubber content) in any state of concentration, and includes scrap rubber, sheet rubber, rubber in powder and all forms and varieties of crepe rubber, but does not include rubber contained in any manufactured article ;

(i) " rubber plant " includes plants, trees, shrubs or vines of any of the following :—

(i) *Hevea Braziliensis* (Para Rubber),

(ii) *Manihot Glaziovii* (Ceara Rubber),

(iii) *Castilloa elastica*,

(iv) *Ficus elastica* (Rambong), and

(v) any other plant which the Board may, by notification in the Gazette of India, declare to be a rubber plant for the purposes of this Act ;

(j) " Rubber Production Commissioner " means the Rubber Production Commissioner appointed under this Act.

**Constitution of the Board.**

4. (1) As soon as may be after the commencement of this Act, the Central Government shall, by notification in the Official Gazette, constitute for the purposes of this Act a Board to be called the Indian Rubber Board.

(2) The Board shall be a body corporate by the name of the Indian Rubber Board having perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The Board shall consist of—

(a) two members representing the Central Government to be nominated by that Government ;

(b) one member representing the Indian Council of Agricultural Research to be nominated by the Central Government ;

(c) one member to be nominated by the Provincial Government of Madras ;

(d) three members to be nominated by the Government of Travancore ;

(e) two members to be nominated by the Government of Cochin, of whom one shall be a person representing rubber producing interests ;

(f) three members to be nominated by the United Planters' Association of Southern India, Coonoor ;

(g) three members to be nominated by the Rubber Growers' Association of India, Kottayam ;

(h) three members to be nominated by the Association of Planters of Travancore, Kottayam ;

(i) three members representing manufacturers, nominated respectively by the Central Government, the Indian Rubber Industries Association, Bombay, and the Association of Rubber Manufacturers in India, Calcutta ;

(j) one member to be nominated by the Central Government from among \* dealers ;

(k) the Rubber Production Commissioner, *ex officio*.

(4) The Board shall elect one of its members to be its Chairman and another member to be its Vice-Chairman.

\* \* \* \* \*

(5) The Chairman and other members of the Board shall receive from the Board such allowances as may be prescribed.

5. (1) If any authority or body fails to make within a reasonable time any nomination which it is entitled to make under section 4, the Central Government may itself nominate a member to fill the vacancy. **Vacancies in the Board.**

(2) Where a member of the Board dies, resigns or is removed, or ceases to reside in India, or becomes incapable of acting, the Central Government shall, on the recommendation of the authority or body entitled to nominate the member under section 4, or where such recommendation is not made within a reasonable time, then on its own initiative, appoint a person to fill the vacancy.

(3) No act done by the Board shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Board.

6. (1) The Central Government shall, in consultation with the Board, appoint a Rubber Production Commissioner to exercise such powers and perform such duties under the direction of the Board as may be prescribed. **Executive Officers of the Board.**

(2) The Central Government shall, in consultation with the Board, appoint a Secretary to the Board to exercise such powers and perform such duties under the direction of the Board as may be prescribed or as may be delegated to him by the Rubber Production Commissioner.

(3) The Rubber Production Commissioner and the Secretary shall not undertake any work unconnected with their duties under this Act, except with the permission of the Central Government.

7. (1) The Board shall, for the purposes of section 13, constitute a Committee to be called the Rubber Price Advisory Committee consisting of-- **Committees of the Board.**

(a) four persons to be elected by the Board, of whom two shall be members of the Board representing rubber producing interests and two shall be members representing manufacturers, and

(b) three members of the Board, to be nominated respectively by the Central Government, the Government of Travancore and the Government of Cochin in this behalf, none of whom shall be a member representing rubber producing interests or manufacturers.

(2) The Board may appoint such other Committees as may be necessary for the efficient performance of its duties and functions under this Act.

(3) The Board shall have the power to co-opt as members of any Committee appointed under sub-section (2) such number of persons who are not members of the Board, as it may think fit.

(4) The Board may appoint and authorise agents to discharge on its behalf any of its functions in relation to the marketing or storing of rubber.

Functions of  
the Board.

8. (1) It shall be the duty of the Board to promote by such measures as it thinks fit the development of the rubber industry so far as regards the production and marketing of rubber.

(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for—

(a) undertaking, assisting or encouraging scientific technological and economic research;

(b) training students in improved methods of planting, cultivation, manuring and spraying;

(c) the supply of technical advice to rubber growers;

(d) improving the marketing of rubber;

(e) the collection of statistics from owners of estates, dealers, and manufacturers.

(3) It shall also be the duty of the Board—

(a) to advise the Central Government on all matters relating to the development of the rubber industry, including the import and export of rubber;

(b) to advise the Central Government with regard to participation in any International Conference or scheme relating to rubber;

(c) to submit to the Central Government and such other authorities as may be prescribed half-yearly reports on its activities and the working of this Act;

(d) to prepare and furnish such other reports relating to the rubber industry as may be required by the Central Government from time to time.

Funds of the  
Board

9. (1) The Indian Rubber Production Board constituted under the Rubber Control and Production Order, 1946, is hereby dissolved, and all funds and other property vested in, and all liabilities of, that Board shall respectively vest in, and be liabilities of, the Board constituted under this Act.

(2) The funds of the Board shall be kept in such bank, or invested in such manner, as may be prescribed, and shall be expended by the Board, only in the performance of its functions under this Act or for meeting such expenses as are authorised by this Act or by the rules made thereunder.

10. (1) Every person owning land planted with rubber plants, whether such land is comprised in one estate or in more than one estate and whether it is situated wholly or only partly in British India, shall, before the expiry of one month from the date of commencement of this Act, apply \* \* \* to the Board to be registered as an owner in respect of each estate owned by him. **Registration.**

(2) A registration once made shall continue in force until it is cancelled by \* \* \* \* \* the Board.

11. (1) The Central Government may, after consulting the Board, by order published in the official Gazette, make provision for prohibiting, restricting or otherwise controlling the import or export of rubber, either general-ly or in specified classes of cases. **Power to prohibit or control imports and exports of rubber.**

(2) All goods to which any order under sub-section (1) applies shall be deemed to be goods of which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act, 1878, and all the provisions of that Act shall have effect accordingly, except that section 183 thereof shall have effect as if for the word "shall" therein the word "may" were substituted. **VIII of 1878**

(3) If any person contravenes any order made under sub-section (1) he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Sea Customs Act, 1878, as applied by sub-section (2), be punishable with imprisonment for a term which may extend to one year or with fine or with both. **VIII of 1878.**

12. (1) With effect from such date as may be notified by the Central Government in this behalf, there shall be levied and collected as a cess for the purposes of this Act a duty of excise on all rubber produced in British India at such rate as the Central Government may on the recommendation of the Board, by the same or a like notification, from time to time fix. **Imposition of rubber cess.**

(2) The said duty of excise shall be payable by the owner of the estate on which the rubber is produced, and shall be paid by him to the Board within one month from the date on which he receives a notice of demand therefor from the Board.

(3) The said duty of excise may be recovered as if it were an arrear of land-revenue.

(4) For the purpose of enabling the Board to assess the amount of the duty of excise payable by the owner of an estate under this section —

(a) the Board shall, by notification in the Gazette of India, fix the period in respect of which assessments shall be made, and

(b) without prejudice to the provisions of section 20, every owner of an estate shall furnish to the Board a return stating the total amount of rubber produced on the estate in each such period, not later than fifteen days after the expiry of the period to which the return relates :

Provided that in respect of an estate situated only partly in British India, the owner shall in the said return show separately the amounts of rubber produced within and outside British India.

(5) If any owner of an estate fails to furnish in due time the return referred to in sub-section (4) or furnishes a return which the Board has reason to believe is incorrect or defective, the Board may assess the amount payable by that owner in such manner as may be prescribed.

(6) Any owner of an estate aggrieved by an assessment made under this section may within three months of the service of the notice under sub-section (2) apply to the District Judge for the cancellation or modification of the assessment, and the District Judge shall, after giving the Board an opportunity of being heard, pass such order (which shall be final) as he thinks proper.

Power to fix maximum and minimum prices for sale of rubber.

13. (1) The Central Government may after consulting the Rubber Price Advisory Committee constituted under sub-section (1) of section 7, by order published in the official Gazette, fix the maximum price or the minimum price or the maximum and minimum prices to be charged, in the course of a business of any class specified in the order, for rubber of any description so specified.

(2) Any such order may fix different maximum or minimum prices to be charged in the course of businesses of different classes for the same description of rubber.

(3) If any person buys or sells, or agrees to buy or sell, rubber at a price which is more than the maximum price, or less than the minimum price, fixed under sub-section (1) in that behalf, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

Licensing of transactions in rubber

14. No person shall sell or otherwise dispose of, and no person shall buy or otherwise acquire, rubber except under and in accordance with the terms of a general or special licence issued by the Board :

Provided that nothing in this section shall apply to the sale by any person of rubber produced in an estate of which he is a registered owner.

15. (1) Every general licence issued under section 14 shall be published by the Board in the Gazette of India and in such newspapers as the Board may direct.

(2) A special licence issued under section 14 shall be valid only for such period as may be specified therein :

Provided that the Board may from time to time extend the period of validity of any such licence.

(3) The Board may at any time for reasons to be recorded by it in writing revoke a special licence granted under section 14, and on such revocation it shall be to the Board by the person to whom it was issued.

(4) No application for a special licence made by a person who was carrying on business as a dealer or manufacturer immediately before the commencement of this Act shall be rejected by the Board except for special reasons to be recorded in writing.

16. (1) No person not being the owner or occupant of an estate \* \* \* \* \* or a person who has acquired rubber under a general or special licence issued by the Board under section 14 shall have any rubber in his possession.

(2) Any Court trying a contravention of sub-section (1) may, without prejudice to the provisions of section 26, direct that any rubber in respect of which the Court is satisfied that such contravention has been committed shall be forfeited to His Majesty.

17. (1) No person shall plant or replant rubber except under and in accordance with the conditions of a special licence issued by the Board.

(2) A licence issued under this section shall specify the area in which rubber may be planted or replanted and the period for which the licence shall be valid.

(3) No licence issued under this section shall be transferable except with the land to which it relates.

18. (1) Every holder of a licence issued under section 17 shall, at such times as the Board may require, furnish to it a report specifying the areas newly planted or replanted during the period to which the report relates and containing such other particulars as may be required by the Board.

(2) The Board may revoke any licence issued under section 17, if it is satisfied that the licence was obtained by misrepresentation or fraud or if the licensee fails to submit the report referred to in sub-section (1).

Provisions regarding licences under section 14.

Restriction on possession of rubber.

Licences for planting or replanting.

Reports to be submitted by licensees.

Fees for special licences.

19. The Board may levy such fees as may be prescribed for the issue and renewal of special licences under section 14, section 15 or section 17.

Submission of returns and maintenance of accounts.

20. Subject to such exceptions as may be prescribed, every owner, every manufacturer, and every holder of a special licence issued under section 14 not being an owner or a manufacturer, shall—

(a) submit to the Board such returns at such times, in such form, and containing such particulars, as may be prescribed;

(b) maintain true and correct accounts and other records pertaining to his estate or business, as the case may be, in such form as may be prescribed;

(c) permit any officer authorised by the Board in this behalf to inspect the accounts and records referred to in clause (b).

Inspection of land and premises.

21. Any officer authorised by the Board in this behalf may at any reasonable time inspect any place of storage of rubber, any estate, any place of business of \* \* \* a dealer or any factory or other premises of a manufacturer, for the purpose of verifying any statement or return submitted under this Act or for any other purpose of this Act.

\* \* \* \* \*

Control by the Central Government.

22. (1) All acts of the Board shall be subject to the control of the Central Government which may cancel, suspend or modify as it thinks fit any action taken by the Board.

(2) The records of the Board shall be open to inspection at all reasonable times by any officer authorised in this behalf by the Central Government.

Appeal.

23. Any person aggrieved by an order of the Board refusing to issue or renew, or revoking, a special licence under the provisions of section 14, section 15 or section 17 may, within sixty days of the making of the order and on payment of the prescribed fee, appeal to the Central Government, and the decision of the Central Government thereon, and subject only to such decision the order of the Board, shall be final and shall not be called in question in any Court.

Accounts of the Board.

24. (1) The Board shall keep such accounts, in such manner and in such form as may be prescribed, of all moneys received and expended by it.

(2) The Board shall cause the accounts to be audited annually by auditors appointed by the Central Government, and the auditors shall have the power to disallow any item of expenditure which in their opinion has not been properly incurred under this Act.

(3) The Central Government may, on the application of the Board, allow any item of expenditure disallowed by the auditors under sub-section (2).

\* \* \* \* \*

**25.** (1) The Central Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act. Power of Central Government to make rules.

(2) Without prejudice to the generality of the foregoing power, rules made under this section may provide for all or any of the following matters, namely :—

(a) the procedure to be followed at meetings of the Board ;

(b) the election of the Chairman and Vice-Chairman of the Board, the election of members of the Rubber Price Advisory Committee, the appointment of other Committees and the delegation to Committees or the Chairman or the Vice-Chairman or to members or officers of the Board, of any of the powers and duties of the Board under this Act ;

(c) the staff that may be employed by the Board ;

(d) the pay, allowances, leave and other conditions of service of the Rubber Production Commissioner, Secretary and other officers and servants of the Board ;

(e) the travelling allowance of members of the Board and of Committees ;

(f) the establishment and maintenance of officers by the Board ;

(g) the term of office of members of the Board and the circumstances in which and the authority by which members of the Board or any Committee may be removed ;

(h) the quorum at meetings of the Board ;

(i) the maintenance by the Board of records of business transacted and the submission of copies thereof to the Central Government ;

(j) the purposes for which funds of the Board may be expended ;

(k) the maintenance of accounts of income and expenditure of the Board and the audit of such accounts ;

(l) the preparation of annual estimates of income and expenditure of the Board ;

(m) the deposit of funds of the Board in banks and the investment of such funds ;

(n) the registers, and other records to be maintained by the Board ;

(o) the form of application for registration under section 10 or the cancellation of such registration, the fee payable on such applications, the procedure to be followed in granting or cancelling registration and the registers to be kept by the Board ;

(p) the form of application for special licences under section 14 or section 17, the fees for the grant or renewal of such licences, and the forms of such licences ;

\* \* \* \*

(q) the manner in which rubber shall be graded and marketed ;

(r) the fee payable on appeals under section 23 ;

(s) any other matter which is to be or may be prescribed under this Act.

**Penalties.**

**26.** If any person—

(a) contravenes any provision of this Act, other than section 11 or section 13, or any rule made under this Act, or

(b) in any report or return to be furnished under this Act makes any statement which is false and which he knows to be false or does not believe to be true, or

(c) obstructs any officer of the Board in the discharge of any duty imposed on or entrusted to him by or under this Act, or

(d) having the control or custody of any account book or other record, fails to produce such book or record when required by any authorised officer to do so,

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

**Procedure for prosecutions.**

**27.** No prosecution for any offence punishable under this Act shall be instituted except by or with the consent of the Central Government or the Board.

**Bar of legal proceedings.**

**28.** No suit, prosecution or other legal proceedings shall lie against the Board or any officer of the Board for anything in good faith done or intended to be done under this Act.

**Temporary powers of the Central Government.**

**29.** Until such time as the Board is constituted under section 4, the Central Government may, notwithstanding anything hereinbefore contained,—

(a) exercise any of the powers conferred by this Act upon the Board ;

(b) exercise any of the powers conferred by sub-section (1) of section 6, section 11 or section 13 on the Central Government without consulting the Board, or as the case may be, the Rubber Price Advisory Committee.