COFFEE RULES 1955

THE COFFEE ACT CONTENTS Sections 2 3 4. 5. 6 6a_ 7. 8. 8a_ 9 IO 11 12. 13. 14 15. 16. 17 18 19. 20. 21 22 23. 24. 25 26 27. 28. 29 30 31. 32. 32a. 33 Short Title, extent and duration S9 (Declaration as to expediency of Union Control) Defini tion Constitution of the Board Incorporation of the Board Vesting of Property in the Board Consultation with the Board Committee, Staff and Agents Salary and Allowances of the Chairman Vice Chairman Chief Coffee Marketing Officer, Secretary and other staff Dissolution of the Board Duty of Customs Duty of Excise Payment of Proceeds of Duties of the Board and manner of realisation by the Board Registration of Owners of Coffee Estates Power of State Govemment to make rules Fixation of prices for sale of coffee Sale of Coffee in excess of internal sale quota. Sale of Coffee — how made 012 Export of Coffee Re-import of Coffee exported from India. Internal Sale Quota Returns to be made by registered owner Licences for sale uncured coffee Surplus coffee and surplus pool Sale of Coffee by the Board Coffee to be cured in licenced curing establishments Licencing of Curing Establishment Information to be supplied to the Board in connection with curing Separate funds to be maintained by the Board General Fund Pool Fund 08 Power to borrow Sections 34 35. 36. 37 37a. 38. 38a. 38b. 39 39a. 40. 42 43. 44. 45 46 47. 47a. 48 49 50. Note: Payments to Registered Owners Failure to register Contravention of Section 16, 17, 18 and 19 Unlicenced curing establishment Contravention of Section 23(1) False Returns Contravention of Section 25 Powers to seize coffee withheld from inclusion in surplus pool Obstruction 1.9 (Offences by Companies) Cognizance of offence Control by the Central Government Appeals to the Central Government Inspection of Records Accounts of the Board Inspection of Records of the Board and obtaining of copies Contracts Bar of the legal proceedings Power of the Central Government to make rules (Repeal of the Indian Coffee Cess Act, 1935) Repeal and Savings 1.9 (Validation of Certain Acts and Indemnity in respect thereof) Sub-Section 3 of section I of the Coffee Market Expansion Act (VII of 1942) reads as under. "It (the Act) shall ceases to be in force at the end of twelve months commencing on the ISt day of July subsequent to the termination of the present hostilities". The Act should have therefore ceased to be in force on ISt July 1947. But the Coffee Market Expansion (Amendment) Act IV of 1947 has placed the Coffee Market Expansion Act (VII of 1942) on a permanent basis by having the above Sub- Section omitted. THE COFFEE RULES . 1955 CONTENTS Rule 2. 3. 4 5 6. 7. 8 9 IO 11 12 13. 15 16 17. 18. 19 20 21. 22. 23 24 25. 26. 27 28 29. Chapter I — Preliminary Shon Title Definitions Chapter 11 — Board and its Constitution Constitution of the Board and the manner of filling vacancies Term of Office Membership Roll Change of Address Regi strati on Removal from the Board Absence from India Vice Chairman Chapter Ill — Procedure — Board and Committees Minimum number of meetings of the Board Power to call Board meetings Quorum Presiding over Board meetings Agenda Business by circulation Voti ng Appointment of Committees Power to call Committee meetings Quorum Absence from meetings of a Committee Filling of casual vacancies Presiding over Committee meetings Agenda Business by circulation Voti ng Record of business Travelling and other allowances to members of the Board and its Committees Revision 30 31 31A 32 33 34 35 36 36A 37 38 39 40 41 42 43 44 45 46. 47 47A 48 Chapter IV — The Board and its Establishment Salaries and allowances Board's establishment Pension-Cum-gratuity benefits to employees of the Board Chapter V — Finance and Accounts of the Board Power to incur expenditure Budget Estimate Accounts of the Board Deposit of Funds of the Board in Banks and the Investment of Such Funds Contracts Financial transactions in general Chapter VI — Powers of the Board and its Chairman Registration on delegation of powers Borrowi ng Powers Powers of the Chairman Chapter VII — Marketing and Licensing Purchasing and selling coffee by the Board in the internal market Appointment of Agents Remuneration to Agents Licence for sale of uncured coffee from an estate Export of coffee Licensing of curing establishments Chapter VIII — Miscellaneous Returns from Registered Estates Inspection of Record by Growers Inspection of Records by Dealers Re-delegation of powers The First Schedule From A to I THE COFFEE ACT ACT NO.VII OF 1942 (PASSED BY INDIAN LEGISLATURE) (Received the assent of the Governor-General on the 2nd March 1942) An Act. (to provide for the development under the Control of the Union, of the coffee industry:) WI---IEREAS it is expedient (to provide for the Development under the control of the Union, of the Coffee industry:) It is hereby enacted as follows:- l. (l) This Act may be called the Coffee Act 1942. (2) It extends to the whole (India) (except the State of Jammu and Kashmir.) Short title Extent and

duration Note:- Item I (2) of the Coffee (Amendment) Act, 1961 Reads as under: - "It (the Amendment Act 1961) shall come into force on such date as the Central Government may, by notification, in the Official Gazette, appoint" Accordingly the following notification, was published in the Gazette of India Extraordinary, Sub-Section (I)-Part II- Section 3, dated 19dl April 1962, by the Government of India in the Ministry of Commerce and Industry, New Delhi. NOTIFICATION Coffee Control G.S.R. - In exercise of the powers conferred by Sub-Section (2) of Section I of the Coffee (Amendment) Act, 1961 (48 of 1961) the Central Government hereby appoints the 19dl April 1962 as the date on which the said Act shall come into force. "[2(3) Plant (B) 62}" (Declara- tion as to expediency of Uni on Control) [(ee) (f) [It is hereby declared that it is expedient in the public 2 interest that the Union Should take under its control the coffee industry] In this Act, unless there is anything repugnant in the 3 Subject context, - (a) "the Board" means the [ ] Coffee Board constituted under Section 4, [(aa) "Chairman" means the Chairman of the Board;] (b) "Coffee" means the commodity derived from the fruit of rubiaceous plant known by that name, and includes raw coffee, cured coffee, uncured coffee, roasted coffee and prepared coffee; (c) "Collector" means a [Collector of Customs as VII of 1942 defined in Clause (8) of Section (2) of the Customs 52 of 1962 Act, 1962,] or a Collector or Land Customs as Defined in Clause (c) of Section 2 of the Land Customs Act, 1924, as the case may be; (d) "Curing means the application to raw coffee of mechanical process other than pulping for the purpose of preparing it for marketing, (e) "Curing establishment" means any place to which raw coffee is sent by a registered owner for curing, and includes any estate which the Board may declare to be a curing establishment for the purpose of this Act. "dealer" means a person carrying on the business of selling coffee, whether whole-sale or by retail;] "estate" means an area administered as one unit which contains land planted with coffee plants; "India" means territory of India excluding the State of Jammu and Kashmir ;] "Indian Coffee Cess Committee," means the Indian of 1924 Coffee Cess Committee constituted under the Indian Coffee Cess Act, 1935; XIV of 1935 (h) (i) (j) (k) (m) [(n) ["Free sale quota" means that portion, stated in terms bulk or weight, of the whole of the coffee produced by the estate in the year, which a registered estate is permitted under this Act to sell;] "Owner" in relation to any land planted with coffee plants, includes — (1) any agent of the owner, and a mortgagee, lessee or other person in (2) actual possession of the land;] "Prescribed" means prescribed by rules made under this act; 'registered estate" means an estate in respect of which an owner is registered under sub-section (l) of section 14, and includes also any estate in respect of which an owner if required to be registered under the provisions of that Sub-Section," 'registered owner ' means an owner of a registered estate who has been or is required to be registered under sub-section (l) of section 14, 'Surplus pool" means the stock of coffee accumulated by the Board out of the amounts delivered to the Board under section 25; "Year" means the period of twelve months beginning with the first day of July and ending with the thirtieth day of June next following.] Constitution of the Board 4.(1) The Board constituted by the name of the Indian Coffee Market Expansion Board under Section 4 of the Indian Coffee Market Expansion Ordinance, 1940, shall be the 3[Coffee Board] for the purpose of this Act. XII of 1939 [(2) (a) (b) (c) The Board shall consists of:- a Chairman to be appointed by the Central Government by notification in the Official Gazette; three members of Parliament of whom two shall be elected by the House of the People and one by the Council of States: and such number of other members not exceeding twenty nine as the Central Government may think expedient to be appointed by that Government by notification in the Official Gazette from among persons who are in its opinion capable of representing:- (i) (iii) (iv) (v) (vii) Governments of the Principal Coffee growing states; Coffee-growing industry; Coffee trade interests, Curing establishment; Interests of labour; Interests of consumers; and Such other interests as in the opinion of the Central Government, ought to be represented on the Board. The number of persons to be appointed as members from each of the categories specified in Clause (c) of Sub-Section (2), the term of office of the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, the members of the Board shall be such as may be prescribed.] (2B) Any offl cer of the Central Government when deputed by that Govemment in this behalf shall have the right to attend meeting of the Board and take part in the proceeding there of but shall not be entitled to vote. (3) [(4) No act done by the Board shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Board] [(5) It is hereby declared that the office of member of the Board shall not disqualiW its holder for being chosen as, or for being, a member of either House of Parliament.] Incorporati on of the Board Vesting of Property in the Board Consultation with the Board Committee Staff

and agents Salary and allowances of Chairman Vice Chairman The Board shall be a body corporate by the name of the 5 [ ] Coffee 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 So long as this Act remains in force all property, movable 6. or immovable, of or belonging to the Indian Coffee Cess Committee shall vest in the Board and all debts and liabilities of the said Committee shall be transferred to the Board, and the officers and Servants of the said Committee shall be officers and servants on the staff of the Board and the said Committee shall be suspended 6(A) Before taking any action touching the affairs of the Board under this Act, the Central Government shall ordinarily consult the the Board Provided that no action taken by the Central Government shall be invalid or called in question merely on the ground that the action was taken without such consultation. The Board may appoint such Committee for such purposes (2) and may employ such staff as it thinks necessary for the efficient discharge of its functions under the Act. (3) The Board may authorise agents to discharge on its behalf, its functions in relation to the marketing, storing and curing of coffee. (8) The Chairman shall be entitled to such salary and allowances and such conditions of service in respect of leave, Pension, Provident fund and other matters as may, from time to time, be fixed by the Central Government

8. A The Board shall elect from amongst its members a Vice Chairman who shall exercise such of the powers and perform such of the duties of the chairman as may be prescribed or as may be delegated to him by the Chairman. Chief Coffee Marketing Offl cer, Secretary and other Staff Di ssoluti on of the Board [9. (l) The Central Government shall appoint an officer to be called the Chief Coffee Marketing Officer and a Secretary to the Board and may appoint a Deputy Secretary to the Board and such number of Marketing Officers as may be necessary, to exercise such powers and to perform such duties under the direction of the Board as may be prescribed (2) The Officers appointed under this Section shall be entitled to such salaries and allowances and such conditions of service in respect of leave, pension, provident fund and other matters as may, from time to time, be fixed by the Central Government. IO When the Board is dissolved by reason of this Act having ceased to be in force, the unexpended balance of all money received by the Board under the Coffee Market Expansion of 1948 Ordinance, 1940, or under this Act except money in the pool fund shall be disposed offin such manner as the Central Government may direct. The Central Government shall disburse the money in the pool fund in the same manner as the Board would have done had it continued to exist. Duties and Customs and of Excise I I A Duty of Customs shall be levied on the coffee produced in India and exported from I [India] 2 [at such rate not exceeding Rupees fifty per quintal as may be fixed by the Central Government by notification in the Official Gazette]* 12. [*The following notifications I and 2 were issued by the Government of India, Ministry of Commerce, New Delhi on the 30dl December 1977. Payments of Proceeds of Duties to the Board. 52 of 1962 NOTIFICATIONS (Coffee Control) S.O. In exercise of powers conferred by Section 11 of the Coffee Act 1942 (7 of 1942), and in suppression of the notification of the Government of India in the Ministry of Commerce No_G S R 513 (E) dated the ISt December 1973, the Central Government hereby fixes with effect from 16th December, 1977, rupees eleven paise eighty per quintal as the rate of duty of customs, on coffee under the said Section I l. (F .N0ß/6/76-Plant (B) 2 S O. In exercise of the powers conferred by Section 12 of the Coffee Act, 1942 (7 of 1942) and in supersession of the notification of the Government of India in the Ministry of Commerce G.S.R. 514 (E) dated the ISt December, 1973, the Central Government hereby fixes with effect from December 1977 rupees eleven and paise eighty per quintal as the rate of duty of excise on coffee under the said Section 12. (E. No 3/6/76-mant (B) The proceeds of the Duty of Customs levied under this 13 Act, (all of which shall form part of the Consolidated Fund of India), reduced by the cost of collection as determined by the Central Government, shall, if Parliament by appropriation made by law in this behalf so provides, be paid to the Board for being utilised for the purposes of this Act. (2) The provisions of the Customs Act, 1962 and the rules and regulations made thereunder, shall, as far as may be, apply in relation to :- (a) (b) the refund of the duty of customs where coffee is exported and subsequently imported into India; and the export, without payment of the duty of customs, of coffee which is subsequently to be imported into India"] The following notification was issued by the Government of India, Ministry of Commerce, New Delhi, on 15th May 1986 S 0 261 (E) in exercise of the power contained in Sub-Section I of the Coffee (Amendment) Act, 1985, the Central Government hereby specifies the 1 5dl May, 1986 as the date on which the provisions of the Coffee (Amendment) Act, 1935 (No.48 of 1985) shall come in force. [F.NO. 13/27/82 Plant *The following notification I and 2 were

issued by the Govemment of India, Ministry of Commerce, New Delhi, on the 28th December 1987. S.O. 1122(E) — In exercise of the powers conferred by Section I I of the Coffee Act, 7 of 1942), and in supersession of the Notification of the Government of India in the Ministry of Commerce No. S. 0 835 (E) dated the 13th December 1977, the Central Government hereby fixes with effect from the date of publication of this Notification; rupees twenty five per quintal as the rate of Duty of excise on coffee under the said Section 12. (F. No 13/27/82 - Plant Regi strati on of owners of coffee estates Power of State Government to make rules Registration 14 [(1) Every owner of land planted with coffee 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 India, shall, before the expiration of one month from the date on which he first became owner of such estate or estates apply to the registering officer appointed in this behalf by the State Government to be registered by an owner in respect of each estate owned by him; and any registration made before the commencement of the Coffee (Amendment) Act, 1961, shall be deemed to have been made under the Sub-Section_ (2) (3) A registration once made shall continue in force until it is cancelled by the registering officer. 15. (l) The [State] Government may by notification in the Official Gazette makes rules to carry into effect the provisions of Section 14. (2) Without prejudice the generality of the foregoing power, such rules may prescribe the form of the application for registration and for cancellation of registration, the fee payable on such applications, the particulars to be included in such applications, the procedure to be followed in granting and cancelling registration, the registers to be kept by registering officers, and the supply by registering officers of information of the Board. Fixation of Prices for sale of coffee Sales of coffee in excess of free Sale Quota Sales of coffee how made Export of Coffee 1962 VII of 1978 Control of Sale, Export & Re-lmport of Coffee The Central Government may, [notification in the Official Gazette, fix the price or prices at which coffee may be sold wholesale or retail in the Indian market. (2) No registered owner or licensed curer or dealer shall sell coffee wholesale or retail in the Indian market at a price or prices higher than the price or prices fixed under this Section.] 1 7 _ ["No registered owner shall sell or contract to sell coffee from any registered estate if by such sale the free sale quota allotted to that estate is exceeded', nor shall a registered owner sell or contract to sell any coffee produced on his estate in any year for which no free sale quota is allotted to the estate."] 18. No registered owner shall sell coffee unless either - (a) it has been cured at or is delivered to the buyer through a curing establishment licenced under Section 28, or (b) it is sold under in accordance with the provision of a licence procured from the Board under Section 24 19 20. No coffee shall be exported from [India] otherwise g of 1878 than by the Board or under an authorisation granted by the Board in the prescribed manner and in the prescribed cases, and the provisions of the ["Customs Act, 1962, shall have effect as if the provision made by this Section had been made by notification issued under Section I l."] 52 of [Provided that nothing herein contained shall apply to coffee (i) shipped as stored any vessel or aircraft in such quantity as the Collector considers reasonable, having regard to the number of the crew and passengers and the length of the voyage or journey, as the case may be, on which the vessel or aircraft is [about to proceed, or] carried as per personal baggage of a passenger not exceeding such quantities, as the Central Government may, by notification in the Official Gazette, speciW or exported for such purposes and in such quantities as the Central Government may specify in the like manner] [Provided further that the Central Government may by order in writing, specify the quantity of coffee which shall be permitted for export during any year and where any such order is made, no coffee shall be exported from India in excess of the said quantity;] Provided further that the Central Government may exempt the operation of this Section, either absolutely or subject to conditions, the export of coffee from S. 7 [India] [to the State of Jammu and Kashmir] or to any foreign settlement bounded by India. The following notification was issued by the Government of India, Ministry of Commerce and Industry, New Delhi, on I st November 1963. NOTIFICATION (Coffee Control) In pursuance of Clause (ii) and (iii) of the first proviso to Section 20 of the Coffee Act, 1942 (7 of 1942) the Central Government hereby directs that coffee may be exported from India otherwise than under an authorisation granted by the Coffee Board: (a) in quantities not exceeding 2 Kilograms when carried as personal baggage of a passenger, or (b) in quantities not exceeding 2 Kilograms and 6 Kilograms respectively, when sent by post by sea or by air, as gift parcels and bona fide samples. Re-import of coffee export from India. Free Sale Quota Returns to be made by regi stered owners. Li cences for sale of uncured [1400 Plant (B) 62] (l) No coffee which has been exported from India shall be 21 re-imported into [India] except under and in accordance with a permit granted by the Board (2) The Board may in any fit case grant

such a permit and no charge shall be made therefor. 22. (l) ["Unless with the previous sanction of the Central Government the Board decides that no free sale quotas shall be allotted, the Board shall, as soon as may be, allot to each registered estate a free sale quota for the year _ (2) The free sale quota shall be a fixed percentage, common to all registered estates, not exceeding fifty per cent of the probable total production of the estate in the year as estimated by the Board Provided that the Board may, with previous sanction of the Central Government allot such quota at a percentage higher than Fifty per cent of the said probable total production. (3) The Board may at any time valy the free sale quota by varying the fixed percentage common to all registered estates, or may express the whole or any part of the free sale quota of an estate in terms of bulk instead of in terms of weight. (l) A registered owner shall furnish to the Board at the prescribed 23. times and in the prescribed manner such returns as may be prescribed. (2) If any registered owner fails to furnish the returns required under Sub-Section (I) in respect of any estate, the Board may 3 (without Prejudice to any penalty to which the said owner is liable under Section 37 A) refuse to allot a I [free] sale quota to that estate, or, where A free sale quota has already been allotted, may cancel it. (3) The Board may authorise an officer to visit any estate at any time to veriW the accuracy of any return made under this Section or to ascertain the productive capacity of the estate. The registered owner of any estate, may subject to the prescribed 24. conditions and so long as the [free] sale quota allotted to that estate will not be exceeded by the proposed sale, obtain from the Board a licence for coffee Surplus coffee and surplus the sale from that estate of uncured coffee. 25. (l) All coffee produced by a registered estate in excess of the amount specified in the [free] sale quota allotted to that estate 2[or when no [free] sale quotas have been allotted to estates,] all coffee produced by the estate] shall be delivered to the Board for inclusion in the surplus pool by the owner of the estate or by the curing establishment receiving the coffee from the estate. [Provided that where no [free] sale quotas have been allotted to estates, the Chairman may allow the owner of any estate to retain with himself for purposes of consumption by his family and for purpose of seed, such quantity of coffee as the Chairman may think reasonable; Provided further that where the Central Government is satisfied that it is not practicable for any class of owners producing coffee in any specified area to comply with the provisions of this Sub-Section on account of the small quantity of coffee produced by them or on account of their estates being situated in a remote locality, the Central Government may, in notification in the Official Gazette exempt such class of owners from the provisions of this Sub-Section.] (2) Delivery shall be made to the Board in such places [at such times] and in such manner as the Board may direct, and such directions may provide for panial delivery to the surplus pool at any time whether or not at that time the [free] sale quota has been exceeded and the coffee delivered shall be such as to represent fairly in kind and quality the produce of the estate. The Board may reject any consignment offered for delivery which does not satisfy this requirement; but shall not reject any consignment merely for a defect in curing. (3) Coffee delivered for inclusion in the surplus pool shall upon delivery to Board remain under the control of the Board which shall be responsible for storages, curing where necessary, and marketing of the coffee. (4) The Board shall [from time to time] prepare a differential scale for the valuation of coffee, and shall in accordance with that scale classify the coffee in each consignment delivered for inclusion in the surplus pool according to its kind an quality and shall make an assessment of its value based on its quantity, kind, and quality (5) The Board may, with the consent ofa registered owner [ ] treat as having been delivered for inclusion in the surplus pool any coffee from such estate which the registered owner may agree to have so treated Sales of Coffee by the Board Coffee to be cured in licenced curing (6) When coffee has been delivered or is treated as having been delivered for inclusion in the surplus pool, the registered owner whose coffee has been so delivered shall retain no rights in respect of such coffee except his right to receive the payments referred to in Section 34 (l) The Board shall take all practical measures to market the 26. coffee included in the surplus pool, and all sales thereof shall be conducted by or through the Board. (2) The Board may purchase for inclusion in the surplus pool Coffee not delivered for inclusion in it. Curing of Coffee 27 No registered owner shall cause or allow coffee to be cured elsewhere than in a licensed curing establishment, whether the curing establishment is maintained by himself or by another person. establishments Licencing Every establishment for curing coffee shall obtain from the Board 28. of curing a licence to operate as such. establishments Informati on supplied to 29. (l) A registered owner when sending coffee to a curing establishment shall report to the Board, separately for each estate from which coffee is sent, the amount of coffee sent and the curing establishment shall in accordance with such instructions as may be issued by the

Board and having regard to the [free] sale quota of the estate. [where one has been allotted] apportion each such consignment into two parts, one part consisting of coffee intended for [free] sale and one part of coffee intended to be delivered for inclusion in surplus pool and shall report to the Board the amount of coffee in each such [where no [free] sale quotas have been allotted to estates, the curing establishments shall report merely the whole amount of coffee sent in each such consignment] (2) A registered owner curing coffee in a curing establishment maintained by himself shall supply to the Board the information specified in Sub-Section (l). (3) A curing establishment which buys or received uncured coffee from any person shall ascertain the estate on which coffee was produced and shall report to the Board the quantity of coffee so obtained and the estate or estates from which it came. (4) Every curing establishment shall maintain accounts in such forms as may be required by the Board and such accounts shall be open to inspection at any time by the Board or by an officer authorised in this behalf by the Board. Finance The Board shall maintain two separate funds, a General Fund and a 30. Pool Fund Separate funds to be maintained by the Board. General Fund [31. (1) (a) (b) [(c) To the General fund shall be credited: all amounts paid to the Board by the Central Government under Sub-Section (l) of Section 13; and any sums transferred to the General Fund under the provision to Sub-Section (2) of [Section 32; and] all fees levied and collected by the Board under Act.] (2) (a) (b) (c) The General Fund shall be applied; to meet the expenses of the Board', to meet the cost of such measures as the Board may consider advisable to undertake for promoting agricultural and technological research in the interest of the coffee industry in India; for making such grants to the coffee estates or for meeting the cost of such other assistance to coffee estates as the Board may think necessary for the development of such estates; Pool Funds. 32 (d) (e) (1) (2) (a) (b) (c) to meet the cost of such measures as the Board considers advisable to undertake for promoting the sale and increasing the consumption in India and elsewhere of coffee produced in India; and to meet the expenses for securing better working conditions and the provision and improvement of amenities and incentives for workers. To the Pool Fund shall be credited all sums realised by sales by the Board of coffee from the surplus Subject to the provisions of Sub-Section 13, ["The Pool Fund"] shall be applied only to — the making to registered owners of estates of payments proportionate to the value of the coffee delivered by them for inclusion in the surplus pool; the Cost of storing, curing and marketing coffee deposited in and of administering the surplus pool', the purchase of coffee not delivered for inclusion in the surplus pool', [Provided that where, after the requirements, of the Clauses Powers to borrow of the Sub-Section have been met there remains any excess in the Pool fund, the Board may, with previous sanction of the Central Government, transfer the whole or any part of such excess to the Credit of the General fund.] 33. The Board may, subject to any prescribed conditions, borrow on the security of the General fund or the Pool fund for any purposes for which it is authorised to expend money from such fund, or on the security of the Coffee delivered or treated as delivered for inclusion in the surplus pool for any purposes for which it is authorised to expend money from the Pool fund. 34. (l) The Board shall at such times as it thinks fit make to registered owners who have delivered coffee for inclusion in the surplus pool such payments out of the Pool fund as it may Failure to regi ster Contraven- tions to Section 16, 17, 18 and 19 Unlicenced curing establishment Contravention of Sections think proper. (2) The sum of all payments made under Sub-Section (l) to any one registered owner shall bear to the sum of the payments made to all registered owners the same proportion as the value of coffee delivered by him out of the year's crop. [Provided that in calculating the sum of all payments made under Sub-Section (l) and the value of coffee delivered to the surplus pool out of the years crop, respectively, any payment accepted by a registered owner as final payment in immediate settlement for coffee delivered by him for inclusion in the surplus pool and the value of any such coffee shall be excluded.] Penalties and Procedure 35. Any owner of a coffee estate who fails to apply for registration in accordance with Section 14 shall be punishable with fine which may extend to one thousand rupees and to a further fine which may extend to five hundred rupees for each month after the first during which such failure continues. 36. (l) Any registered owner who contravenes the provisions of Sub-Section (2) of Section 16, or Section 17, Section 18, any licences curer [or dealer] who contravenes the provisions of Sub-Section (2) of Section [ ] shall be punishable with fine which may extend to one thousand rupees. (2) When a registered owner is convicted under this Section, the Board may thereafter deduct from any payment to be made under Section 34 to such registered owner a sum equal to the value as estimated by the Board of any coffee unlawfully sold by him. If any curing establishment operates as such without a 37. licence, the owner shall be punishable with fine which may

extend to five hundred rupees. [37 A Any registered owner who fails to fumish the required by Sub-Section (l) of Section 23 as required by that Sub-Section shall be punishable with fine which may extend to one thousand rupees _ False returns Powers to seize Coffee witheld From inclusion In surplus pool Obstruction Offences by Companies 38 Any person who makes in any return to be furnished under Section 23 or in any report to be made under Section 29 any statement which is false and which he knows to be false or does not believe to be true shall be punishable with fine which may extend to one thousand rupees. 38 A. Any registered owner or licences curer who fails to deliver any coffee to the Board as required by or under Sub- Section (l) and (2) of Section 25 shall be punishable with fine which may extend to one thousand rupees, and the court by which such person is convicted may order the confiscation and delivery to the Board of any coffee in respect of which the offence was committed] 38 B. If the Board is satisfied that any coffee which is required under the provision of Section 25 to be delivered for inclusion in the surplus pool is being or is likely to be disposed off otherwise than by such delivery, the Board may order the seizure of such coffee, and may authorise an officer of the Board to effect seizure thereof for delivery for inclusion in the surplus pool and such authorisation shall be sufficient warrant for such officer to take all steps necessary to secure possession of the coffee. 39 Whoever obstructs any member of officer of the Board or any person authorised by the Board or by the Central Government in the discharge of any duty imposed on or entrusted to him under this Act, or who having control over, or custody of any records fails to produce such records when required to do so or refuses information lawfully asked for by a member or officer of the Board or by the Central Govemment to inspect such records or ask for such information shall be punishable with fine which may extend to one thousand rupees. [39 A. (l) If the person committing any offence under this Act is 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 published accordingly: Provided that nothing contained in this Sub-Section shall render any such person liable to punishment provided in this Act if he proves that the offence was committed without his knowledge Cognizance of offence Control by the or that he exercised all dues diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in Sub-Section (l) Where an offence under this Act has been committed by accompany 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 purpose of this Section: (a) 'Company' means any body corporate and includes a firm or other association of individuals; and (b) 'Director' in relation to a firm means a partner in the firm 40. (l) No court other than the Court of a [Metropolitan Magistrate or a Judicial Magistrate of the first class] shall take cognizance of any offence punishable under this Act. (2) no court shall take cognizance of an offence punishable under Section 35 except on complaint made by an officer authorised in this behalf by the (State) Govemment (or of the offence specified in Sub-Section (2) of Section 16 except on complaint made by an officer authorised in this behalf either by the (State) Government or by the Board) or of an offence punishable under any other Section except on complaint made with the previous sanction of the Central Govemment by an officer authorised in this behalf by the Board. [Provided that the Central Govemment may, by notification in the official Gazette, direct that the previous sanction of the Central Government shall not be necessary for complaints in such cases or classes of cases as may be specified in the notification.] 41 42. General (l) All acts of the Board shall be subject to the control of Central Government the Central Government which may cancel, suspend or modify as Appeal to the Central Government Inspection of Records Accounts of the Board Inspection of Records of the Board and obtaining of copies 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. (l) Any person aggrieved by an order of the Board 43 refusing a licence to or cancelling the licence of curing establishment may, within sixty days of the making of the order, appeal to the Central Government. (2) Any person making an appeal under this Section shall pay a fee of five rupees which shall be credited to Central Revenue. [Any person authorised in this behalf by the Central 44. Government or by the Board or any member of the Board so authorised by the Chairman in writing or any officer of the Board may enter at all reasonable times] any estate of any curing establishment [or any place here coffee is stored or

exposed for sale] and may require the production for his inspection of any records kept therein, or ask for any information relating to the production, storage or sale of coffee [(l) The Board shall keep accounts in such a manner as 45. may be prescribed of all money received and expended by it. (2) The accounts shall be kept separately for the General Fund and the Pool fund. (3) The Board shall cause the accounts to be audited annually by auditors appointed by the Central Government, and the auditors shall have power to disallow any item of expenditure which has in their opinion been incurred otherwise than in accordance with this Act. (4) The Central Government may, on the application of the Board, allow any item of expenditure disallowed by the auditors under Sub-section (3)

46. Any registered owner [ ] may, subject to the prescribed conditions inspect the records maintained by the Board and may on payment of the prescribed fee obtain copies of any proceedings or order of the Board. Contracts Bar of legal Proceeding XII of 1940 Power of the Central Government to make rules 47 All contracts for the sale of coffee in so far as they are at variance with the provisions of this Act shall be void Provided that nothing contained in this Section shall apply To contracts to which under Section 47 of the Coffee Market Expansion Ordinance, 1940, that Ordinance did not apply 47 A. No. Suit. , prosecution or other legal proceedings shall lie against the Board or any officer of the Board for or in respect of anything in good faith done or intended to be under this Act. (l) The Central Government may, by notification in the 48 Official Gazette, make rules to carry out the purposes of this Act. [(2) without prejudice to the generality of the foregoing power, rules may be made providing for all or any of the following matters:- (v) (vii) the Constitution of the Board, the number or persons to appointed as members from each of the categories specified in Clause (c) of Sub-section (2) of Section 4, the term of office and other conditions of service, or, the procedure to be followed by, and the manner of filling vacancies among the members of the Board; the circumstances in which, and the authority by which, and the authority by which, members may be removed;] the procedure to be followed at meetings of the Board and at Committees thereof for the conduct of business and the number of members which shall form a quorum at a meeting; the maintenance by the Board of records of business transacted by the Board and the submission of copies thereof to the Central Government, the holding of a minimum number of meetings of the Board every year; the powers of the Board, its Chairman and Committees thereof with respect to the incurring of expenditure; The Conditions subject to which the Board may incur (viii) (x) (xiii) (xiv) (xvi) (xvii) outside India; the preparation of budget estimates of receipts and expenditure of the Board and the authority by which the estimates are to be sanctioned; the maintenance of the accounts of income and expenditure of the Board and the audit of such accounts, the deposit of the funds of the Board in Banks and investments of such funds; the appropriations of the estimated savings from any budget head to any other budget head', the conditions subject to which the Board may borrow funds, the conditions subject to which and the manner in which contracts may be entered into by or on behalf of the Board; the delegation to the Committee, or Chairman or Vice-Chairman or members or officers of the Board of any of the powers and duties of the Board under this Act, the staff which may be employed by the Board and the pay and allowances and leave and other conditions of service of officers (other than those appointed by the Central Government) and other employees of the Board; the travelling and other allowances of members of the Board and of Committees thereof; (xviii) the maintenance of the registers and other records of the Board and its various Committees; (xviii) the manner in which the [free] sale quota of coffee estates (xix) (XX) (xxi) shall be determined; the manner in which the Board shall exercise its powers of buying and selling coffee; the appointment by the Board of agents; the conditions to be fulfilled by a curing establishment before a licence to operate as such can be issued; XII of 1940 1 of 1941 VIII of 1941 of 1941 X of 1897 XIII of 1940 (xxii) the form of, and the particulars to be contained in any returns, or reports to be made to the Board under this Act, (xxiii) the form of, manner of application for, fees payable for, procedure in granting and conditions governing, the licences and permits to be issued by the Board; (xxiv) the collections of any information or statistics in respect of coffee or any product of coffee; (xxv) any other matter (other than any matter specified in Section 15) which is to be or may be prescribed under this Act.] ["(3) Every rule 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 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"] [The Indian Coffee Cess Act, 1935, is hereby repealed] 49 50. (l) The Coffee Market Expansion Ordinance 1940. The Coffee Repeals Market Expansion (Amendment) Ordinance, 1941 The Coffee Savings Market Expansion (Second Amendment) Ordinance, 1941, and the Coffee Market Expansion (Third Amendment) Ordinance, 1941, are hereby repealed (2) Without prejudice to the provisions of Section 24 of the General Clauses Act 1897 (a) (b) any trial or proceeding under The Coffee Market Expansions Ordinance, 1940, pending at the time of the appeal of the Ordinance, may be continued and completed as is such trial or proceeding were a trial or proceeding under this Act; all registrations made, all licences issued and all other things done under the said Ordinance shall be deemed to have been made, issued or done under this Act. 1.9. [Validation of certain acts and indemnity in respect thereof] [All acts of executive authority, proceedings and sentence which have been done taken or passed with respect to or on account of, coffee during the period commencing on the 241 day of January 1953, and ending with the date of commencement of this Act, by the Government or by any officer of the Govemment or by any other authority in the belief or purported belief that the acts, proceedings or sentences were being done, taken or passed under the principal Act shall has been valid and operative as if they had been done, taken or passed in accordance with law, and no suit or other legal proceeding shall be maintained or continued against any authority whatsoever on the ground that any such acts, proceedings or sentences were not done, taken or passed in accordance with law.] -o- THE COFFEE RULES, 1955 Note- Amendments are shown in square brackets proceeded by a figure and a letter which are abbreviations used to denote the following: 1- A- O- s- 2. 3 4. 5 6. 7 8. 9 IO 11. 12 13. 14 15. 16 17. Inserted by Added by Omitted by Substituted by Notification No. 15(1)Plant/55 dated 23 8.1955 of the Ministry of Commerce and Industry Notification No. dated 28.12.1955 of the Ministry of Commerce and Industry Notification No. 15(17) Plant/55 dated 20.02 1956 of the Ministry of Commerce and Industry. Notification No. 15 (2)Plant/56 dated 17.07.1956 of the Ministry of Commerce and Industry Notification No. dated 22.09.1956 of the Ministry of Commerce, Consumers and Industries. Notification No. 15(7)Plant/B/56 dated IO. I l. 1956 of the Ministry of Commerce, Consumer Industries. Notification No. dated 18 01 1957 of the Ministry of Commerce and Consumer Industries. Notification No. 1 dated 08.02 1957 of the Ministry of Commerce and Consumer Industries. Notification No. 15(1)Plant/B/56 dated 03.04 1957 of the Ministry of Commerce and Industries. Notification No. I(2)Plant (B)/57 dated 27.05 1957 of the Ministry of Commerce and Industry Notification No.2(5)Plant(B)/57 dated 09 01 1958 of the Ministry of Commerce And Industry Notification No. 14(37)Plant(B)/57 dated 06.02 1958 of the Ministry of Commerce and Industry. Notification No.2(3)Plant(B)/57 dated 14 02 1958 of the Ministry of Commerce and Industry. Notification No. 15(16)Plant(B)/55 dated 21.03.1958 of the Ministry of Commerce and Industry. Notification No. I(5)Plant(B)57 dated 16.04 1958 of the Ministry of Commerce and Industry. Notification No. 15(l)Plant (B)55 dated 16.04.1958 of the Ministry of Commerce and Industry Notification No_2(3)Plant (B)58 dated 22 09.1958 of the Ministry of Commerce and Industry. 18. 19 20. 21 22. 23 24. 25 26. 27 28. 29 30. 31 32. 33 34. 35 36. 37 38

39. Notification dated 15.10 1958 of the Ministry of Commerce and Industry. Notification No.2(7)Plant(B)58 dated 18. IO. 1958 of the Ministry of Commerce and Industry. Notification No.2(7)Plant (B)(58) dated 29.10 1958 of the Ministry of Commerce and Industry Notification No.2(9)Plant(B)58 dated 18.12.1958 of the Ministry of Commerce and Industry. Notification No_2(5)Plant (B)58 dated 02 01.1959 of the Ministry of Commerce and Industry Notification No.3 dated 30.03.1959 of the Ministry of Commerce and Industry Notification No_2(4)Plant(B) 58 dated 29 04.1959 of the Ministry of Commerce and Industry Notification No.2(3)Plant(B)58 dated 08.09.1959 of the Ministry of Commerce and Industry. Notification No.2(5)Plant(B)58 dated 18.12 1959 of the Ministry of Commerce and Industry Notification No.2 Plant(B)60 dated 01 03.1960 of the Ministry of Commerce and Industry Notification No_8(4)Plant (B)60 dated 20 05.1960 of the Ministry of Commerce and Industry Coffee (Amendment) Rules, 1961- Notification No. I(2)Plant (B)60 dated 21.3.1961 of the Ministry of Commerce Industry. Coffee (Third Amendment) Rules, 1961- Notification No.(8)4 Plant(B)60 dated 22 06.1961 of the Ministry of Commerce and Industry Coffee Third (Amendment) Rules, 1961 — Notification No.(l)l Plant(B)61 dated 17.08 1961 of the Ministry of Commerce and Industry. Coffee Founh (Amendment) Rules, 1961 - Notification dated 31. IO. 1961 of the Ministry of Commerce and Industry.

Coffee (Amendment) Rules, 1962 — Notification No.F(2)Plant(B)62 dated 15.03 1962 of the Ministry of Commerce and Industry. Coffee Second (Amendment) Rules, 1962 — Notification No_2(2)Plant (B)62 dated 04.04 1962 of the Ministry of Commerce and Industry. Coffee (Amendment)Rules, 1962 — Notification No.2(3) Plant(B)62 dated 19.05 1962 of the Ministry of Commerce and Industry Coffee Fourth (Amendment)Rules, 1962 — Notification No.2(3)Plant B/62 dated 25 05.1972 of the Ministry of Commerce and Industry Coffee Fifth (Amendment) Rules, 1962 — Notification No.2(5)Plant B/62 dated 17.09 1962 of the Ministry of Commerce and Industry. Coffee (Amendment) Rules, 1963 — Notification No.2(2)Plant (B)63 dated 27 03.1963 of the Ministry of Commerce and Industry (Department of International Trade). Coffee (Second Amendment) Rules, 1963 — Notification No_2(3)Plant (B)63 dated 01 04.1963 of the Ministry of Commerce and Industry (Department of International Trade). 40. 41 42. 43 44. 45 46. 47 48. 49 50. 51 52. 53 54. 55 56. 57 58. 59 60. 61 62. Coffee (Third Amendment) Rules, 1963 — Notification No.2(5)Plant(B)62 dated 06 04.1963 of the Ministry of Commerce and Industry Coffee (Amendment) Rules, 1964 — Notification No.2 (4) Plant (B)63 dated 26.03 1964 of the Ministry of International Trade. Coffee (Second Amendment) Rules, 1964 — Notification No. dated 29 07.1964 of the Ministry of Commerce. Coffee Third (Amendment) Rules, 1964 — Notification No.2(3) Plant (B)64 dated 08.09 1964 of the Ministry of Commerce. Coffee (Amendment) Rules, 1961- Notification No_2 (4) Plant (B)64 dated 13 01.1965 of the Ministry of Commerce. Coffee (Second Amendment) Rules, 1965 — Notification No. 9(2) Plant (B) 63 dated 18 01.1965 of the Ministry of Commerce. Coffee (Third Amendment) Rules, 1965 — Notification No_9(28) Plant (B) 65 dated 07.12 1965 of the Ministry of Commerce. Coffee (Amendment) Rules, 1966 — Notification No.2(l) Plant (B) 66 dated 26.02 1966 of the Ministry of Commerce. Coffee (Second Amendment) Rules, 1966 — Notification No.9(6) Plant (B) 66 dated 19.04 1966 of the Ministry of Commerce. Coffee (Founh Amendment) Rules, 1966 — Notification No.8 (l) Plant (B) 66 dated 1 7 08.1966 of the Ministry of Commerce. Coffee (Third Amendment) Rules, 1966 — Notification No.9(38) Plant (B) dated 07 12.1966 of the Ministry of Commerce. Coffee (Amendment) Rules, 1967 — Notification No.2(6) Plant (B) 66 dated 10.01 1967 of the Ministry of Commerce. Coffee (Second Amendment) Rules, 1967 — Notification No.8 Plant (B) 56 dated 25 03.1967 of the Ministry of Commerce. Coffee (Third Amendment) Rules, 1967 — Notification No.2(5) Plant(B) dated 04.04 1967 of the Ministry of Commerce. Coffee (Fourth Amendment) Rules, 1967 — Notification No_2(l) Plant(B) 67 dated 13.04 1967 of the Ministry of Commerce. Coffee (Fifth Amendment) Rules, 1967 — Notification No. 14(8)Plant(B)66 dated 29.09 1967 of the Ministry of Commerce Coffee (Sixth Amendment) Rules, 1967 — Notification No_9(30)Plant(B)66 dated 11 12.1967 of the Ministry of Commerce. Coffee (Amendment)Rules, 1971 - Notification dated 23.04 1971 of the Ministry of Foreign Trade. Coffee (Second Amendment) Rules, 1971 — Notification No.2(l dated 22 06.1971 of the Ministry of Foreign Trade. Coffee (Amendment) Rules, 1972 — Notification No.2 (3) Plant (B)67 dated 31.01 1972 of the Ministry of Foreign Trade. Coffee (Second Amendment)Rules, 1972 — Notification No.2 (l) Plant(B) 67 dated 02.03 1972 of the Ministry of Foreign Trade. Coffee (Third Amendment) Rules, 1972 — Notification No.2(l) Plant (B)67 dated 01.04 1972 of the Ministry of Foreign Trade. Coffee (Fourth Amendment) Rules, 1972 — Notification No_2 (l) Plant (B)67 dated 08.07 1972 of the Ministry of Foreign Trade. 63. 64 65. 66 67. 68 69. 70 71 72. 73 74. 75. 76 77 78. 79 80. 81 82. 83 85 86 87. 88 Coffee (Amendment) Rules, 1973 — Notification No. 2 (l) 67 Plant (B) dated 28 03.1973 of the Ministry of Commerce. Coffee (Amendment) Rules, 1974 — Notification No.2 (15) 69 Plant (B) dated 17. IO 1974 of the Ministry of Commerce. Coffee (Second Amendment) Rules, 1974 - Notification Plant (B) dated 7.11 1974 Coffee (Amendment) Rules, 1975 — Notification No. 9(20)/69/Plant (B) dated 29.03 1975 Coffee (Amendment) Rules, 1976 dated 26.7 1976 Coffee (Amendment) Rules, 1976 — Notification No.9(11)/69 Plant (B) dated 02 06.1977 Coffee (Amendment) Rules, 1977 — Notification No.9/15/69 Plant (B) dated 20.09 1977 Coffee (Amendment) Rules, 1978 — Notification No. dated 10.04.1978 Coffee (Amendment) Rules, 1980 — Notification No.2 1/80 Plant (B) dated 05.06 1980 Coffee (Amendment) Rules, 1977 — Notification No. 9 (IO) 80 Plant (B) dated 28 09.1981. Notification (Coffee Control) No. 9/3/84 Plant (B) dated 08.06.1984 of the Ministry of Commerce, Government of India, New Delhi Notification (Coffee Control) No. 9/4/84 Plant B dated 30.08 1984 of the Ministry of Commerce, Government of India, Department of Commerce, New Delhi. Notification dated 20 06 1983 of the Ministry of Commerce, Government of India, New Delhi. Notification No.9/l/85 Plant B dated 25.02.1985 of the Ministry of Commerce Notification No. G.S.R. dated 5. l. 1987 of the Ministry of Commerce The

Coffee (Second Amendment) Rules, 1987 — Notification dated 12.01 1987 of the Ministry of Commerce. The Coffee (Amendment) Rules, 1988 — Notification No. G.S.R. No. 663 dated 03 08.1988 of the Ministry of Commerce The Coffee (Second Amendment) Rules, 1988 — Notification No. G. S. R No_851 dated 18. IO 1988 of the Ministry of Commerce The Coffee (Amendment) Rules, 1989 — Notification No. G. S. R 427 (E) dated 05 04.1989 of the Ministry of Commerce. The Coffee (Second Amendment) Rules — Notification No. G. S R 462 (E) dated 22.04 1982 of the Ministry of Commerce The Coffee (Third Amendment) Rules, 1989 — Notification No. G. S R 1051 B dated 14.12.1989 The Coffee (Amendment) Rules, 1992 — Notification No. G. S. R. dated 18.6.1992 of the Ministry of Commerce The Coffee (Amendment) Rules, 1992 — Notification No.G. S.R. dated 13. I l. 1992 The Coffee (Third Amendment) Rules, 1992 — Notification No. G.S R. dated 14.12 1992 The Coffee (Amendment) Rules, 1994 — Notification No_G.S.R. dated 4 2 1994 Notification dated 25.10 1995. GOVERNMENT OF INDIA MINISTRY OF COMMERCE & INDUSTRIES New Delhi, the ISt August 1955 NOTIFICATION (Coffee Control) S. R.O. 1966 - In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (VII of 1942) and in supersession of the Coffee Market Expansion Rules, 1940 the Central Government hereby makes the following rules, namely: - 1 2 (1) (2) (3) (4) (5) (6) (7) (8) (9) CHAPTER -1 PRELIMINARY Short Title : These rules may be called. The Coffee Rules 1955 In these rules, unless the context otherwise Definitions requires "The Act" means Coffee Act, 1942 (VII of 1942) ' Chief Accounts Officer" means the Chief Accounts Officer of the Board "Board" means Coffee Board constituted under Section 4 "Chairman" means the Chairman of the Board "Chief Coffee Marketing Officer" means the Chief Coffee Marketing Officer of the Board and includes the Deputy Chief Coffee Marketing Officer "Committee" means any Committee constituted or appointed by the Board under Sub-Section (2) of Section 7 "Deputy Chief Coffee Marketing Officer" means the Deputy Chief Coffee Marketing Officer of the Board "Deputy Secretary" means the Deputy Secretary to the Board "Director of Propaganda" means the Director of Propaganda of the Board "Director of Research" means the Director of Research of the Board "Form" means Form set out in the First Schedule "Large Grower" means a registered owner owing land planted either with Arabica coffee, Robusta coffee, or both, aggregating to not less than 25 acres, whether such land id comprised in one estate or more than one estate "Member" means a Member of the Board "Robusta Grower" means a registered owner owing land planted with Robusta coffee aggregating to not less than 5 acres, whether such land is comprised in one estate or more than one estate; Provided that where both Robusta and Arabica Coffee are planted, the area under Robusta shall not be less than the area under Arabica; ' Schedule" means a Schedule set out in these Rules "Secretary" means Secretary to Board "Section" means a registered owner who is not a large grower "Small Grower "means a registered owner who is not a large grower 3 (a) (b) (c) (3) "Vice-Chairman" means the Vice-Chairman of the Board; and "Year" means the year as defined in the Act' Provided that for the purposes of preparing a budget out of the General Fund of the Board, and Annual Report of the Board, year shall mean the financial year commencing on the Fist day of April

CHAPTER 11 Board and its Constitutions Constitution of the Board and the manner of filling vacancies:- (l) The Board shall consist of a Chairman, three Members of Parliament and twenty-nine other members representing the Government of states and other interests specified in Sub Rule Of the twenty-nine other members:- four members shall represent the Governments of the principal coffee growing States, one representing each of the State of Andhra Pradesh, Karnataka, Kerala and Tamilnadu to be appointed in consultation with the respective State Government. "ten members shall represent the coffee growing industry of whom three shall represent the large growers and seven shall represent the small growers; Provided that not less than three of such members shall represent the Robusta growers. ' "three members shall represent the coffee trade interests, two members shall represent the curing establishment, four members shall represent the interests of labour; two members shall represent the interests of consumers; two members shall represent the interests of coffee growing states other than those mentioned in Clause (a) of Sub-Rule 2 of Rule 3 (viz; States of Andhra Pradesh, Karnataka, Kerala and Tamilnadu), one member shall represent the manufacturers of instant coffee and one shall be an eminent scientist from a Research Institute or an Agricultural University or an eminent personality in marketing management or promotion of coffee" The Central Govemment may make such consultations as it may think fit before appointing the representatives of the interests specified in Clauses (b) and (C) of Sub-rule (2) [Terms of Office:- 4 (l) Save as hereinafter provided, a member shall hold office for such period not exceeding three years shall be

eligible to re-appointment; Provided that a member elected under clause (b) of Sub- Section (2) of Section 4 by either House of Parliament shall cease to be a member of the Board if he ceases to be a members of the House by which he was elected. Provided further that the period of appointment of a members would be limited to the period of availability of the officer either on deputation on basis or the period for which he holds the post on ex- officio basis by virtue of which he is appointed as a member] (2) A member appointed to fill a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.] 5. Membership Roll: - The Secretary shall keep a record of names of members and their addresses

6. Change of Address:- If a member changes his address, he shall notify his new address to the Secretary who shall there-upon enter his new address, in the official records but if he fails to notiW his new address, the address in the official records shall for all purposes be deemed to be the member's correct address.[7. Resignation:- (l) A member of the Board or of a Committee may resign his office by a letter addressed to the Secretary. (2) The office of a member of the Board or of a Committee shall fall vacant from the date on which his resignation is accepted by the Chairman of the Board or of the Committee, as the case may be, or on the expiry of thirty days from the date of receipt of intimation of resignation whichever is earlier.] 8. Removal from the Board :- The Central Govemment may remove any member from his office (a) If he becomes bankrupt or insolvent or suspends payment or compounds with his creditors, or (b) if he is convicted of any offence which is punishable under the Indian Penal Code (Act M-.V of 1860) and such offence isnon- bailable under the provisions of the Code of Criminal Procedure Act, 1973 (2 of 1974), or] (c) if he is of unsound mind and stands so declared by a competent court or (d)if he absent himself from two consecutive meetings of the Board without the leave of the Chairman and in any case from three consecutive meetings, or (e)if he defaults in payment of any dues to the Board and if so declared by the Board. (a) (b) (c) (2) 9. Absence from India :- (l) Before a member departs from India He shall intimate to the Secretary the date of his departure from and the date of his expected retum to India and if he intends to be absent from India for a period longer than six months, he shall tender his resignation. if any member departs from India without taking either of the courses mentioned in Sub-rule (l) he shall be deemed to have resigned his office with effect from the date of his departure from India. 10. [Vice Chairman:- (l) The Board shall, in each year out of its own member, elect a person to be the Vice-Chairman for a period of twelve months commencing from the date of his election or if the elections held before the expiry of the term of office of an existing Vice-Chairman, from the date on which such Vice-Chairman would vacate office. In the event of the Vice-Chairman resigning his office as such or ceasing to be a member of the Board, the Board shall at its next meeting elect a member to be Vice-Chairman for the unexpired portion of the term of office of the Vice- Chairman elected under Sub-Rule (l) CHAPTER 111 Procedures — Board and Committees Minimum number of meetings of the Board: - 11. [There shall be not less than two ordinary meetings of the Board in a year on dates to be fixed by the Chairman and shall be held at Head Quarters of the Board. The interval between any two ordinary meetings shall not, in any case, be longer than eight months. Provided that if the meeting is to be held outside the head quarters, the reasons for holding such meetings outside the HQs shall be recorded in writings.] Power to call Board Meetings:- (l) The Chairman 12. of the Board may at any time call a meetings of the Board and shall do so if a requisition for that purpose is presented to him by at least eight members of the Board (2) At least fourteen clear days before any meeting of the Board, notice of the time and place of the intended meetings, signed by the Secretary, shall be sent to the Government of India (in the appropriate Ministry) and left at or posted to the address of every member of the Board. Provided that in case of urgency, a special meeting may be summoned at any time by the Chairman who shall inform in advance the Government of India (in the appropriate Ministry) and members of the subject matter for discussion and the reasons for which he considers it urgent. No ordinary business shall be transacted at such special meetings. (3) The Chairman of the Board may require any officer of the Board or invite any person or persons to attend any meetings of the Board

13. Quorum:- No business shall be transacted at any meeting of the Board unless there are present at least twelve members.

14. Presiding over Board Meeting:- The Chairman shall preside at every meeting of the Board at which he is present, and in his absence the Vice- Chairman shall preside, but when both the Chairman and the Vice-Chairman are absent from any meetings the members present shall elect

one of their members to preside, at that meetings _ 15. Agenda:- (I) The Chairman of the Board shall cause to be prepared and circulated to the Govemment of India (in the appropriate Ministry) and among the members at least ten days before an ordinary meeting of the Board a list of business to be considered at that meeting. (2) No business set down on the agenda shall be considered without the permission of the Chairman

16. Business by Circulation:- (l) All questions which the Board is required to take into consideration shall be referred to the members of the Board either at its meetings or by circulation of papers if the Chairman so directs and copies of all papers so placed at the meetings or so circulated to members shall be sent to the Government of India(in the appropriate Ministry) (2) Any proposal or resolution so circulated and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by a majority of votes of members at the meeting. Provided that at least twelve members of the Board have recorded their views on the resolution or proposal. Provided further that the papers need not be sent to any member who is absent from India Provided also that when a question referred by circulation of papers any four members of the Board may require that the question be referred to a meeting and there upon such a reference shall be made top the Board at a meeting. (3) When any business is referred to member of the Board by circulation, a period of not less than IO clear days shall be allowed for receipt of replies from members. Such period is to be reckoned from the date on which the notice of business is issued. (4) If a resolution proposal is circulated, the results of the circulation shall be communicated to all the members and to the Govt. Of India(ln the appropriate Ministry) (5) All decision on questions arrived by the circulation of papers shall be placed at the next meeting of the Board for record

17. Voting:- (l) Except as provided in Rule 16, every question brought before any meeting of the Board shall be decided by a majority of the members present and voting at the meetings before which the matter is brought.(2) 18. Appointment of Committees: The Board may appoint every year the following standing committees and may appoint such other committees as the Board deems necessary to exercise such powers and discharge such functions as may be delegated to it under these rules, namely: [a] an Executive Committee consisting of :- (i) The Chairman who shall be the ex-officio Chairman of the Committee. the Vice-Chairman the members representing the Govt. Of Karnataka (iv) two of the three members representing the Govt. Of Tamilnadu, Kerala and Andhra Pradesh, sitting on the Committee by rotation for each year beginning with the representatives of the Govt. Of Tamilnadu and Kerala. (v) An eminent scientist from a Research institute or an Agricultural University or an eminent personality on marketing management or promotion of coffee. (vi) Five other members appointed by the Board by election, of whom one shall be a Representative of the interest of coffee growing states (other than 4 members from coffee growing states mentioned in Rule 3 (2) (A) one representative of labour and not more than two being representatives of growers. [b] a Propaganda Committee consisting of the Chairman who shall be the ex-officio Chairman of the Committee the Vice-Chairman the member representing interests of manufacturers of instant coffee; and five other members appointed by the Board by election of whom one shall represent the interests of consumers, one represent trade and one represent labour and two members to represent the growers. Provided that the Director of Propaganda shall attend all meetings of the Propaganda Committee and participate in its proceedings but shall have no right to vote. (c) A Marketing committee consisting of (i) The Chairman who shall be the ex-offcio Chairman of the Committee (ii) (iii) (v) the Vice-Chairman two members representing curing establishments the two members representing consumers the members representing the manufacturers of instant coffee, one member who shall be an eminent-scientist from a Research Institute or an Agricultural University or an eminent personality in marketing, management or promotion of coffee. nine other members appointed by the Board by election, of whom six shall be representative of growers/State Plantation Corporation and two being representative of coffee trade and one being a representative of labour. provided that the Chief Coffee Marketing Officer shall attend all meetings of the Marketing Committee but shall have no right to vote. (b) a Research Committee consisting of: (i) The Chairman who shall be the ex-officio Chairman of the Committee the Vice-Chairman; (iii) the member representing the Govt. Of the state of Karnataka (iv) the member representing the Govt. Of the state Tamilnadu the member representing the Govt. Of the state (v) Kerala the member representing the Govt. Of Andhra Pradesh one of the member representing the interests of coffee growing states other an State of Karnataka, Tamilnadu, Kerala and Andhra Pradesh to

be appointed by the Board by election. seven other members appointed by the Board by election of who three shall be from the State of Karnataka. Provided that the Director or Research shall attend all meetings of the Committee and participate in its proceedings but shall have no right to vote. (e) A Development Committee consisting of: (iii) the Chairman who shall be ex-officio Chairman of the Committee; the Vice — Chairman, A member representing the interests of coffee growing States other than Andhra Pradesh, Karnataka, Kerala and Tamilnadu to be appointed by the Board by election; four members representing small growers to be appointed by the Board by election; two members representing large growers to be appointed by Board by election; The member representing the Government of Andhra Pradesh Provided that the Development Officer and Director of Research shall be invited to attend all meetings of Committee and participate in all its proceedings but shall have no right to vote. (f) A Coffee Quality Committee consisting of: the Chairman who shall be the ex-officio Chairman of the Committee, the Vice-Chairman (iii) five members to be appointed by the election, of whom one shall represent the interest of coffee curing establishments, one to represent the interests of coffee trade and three to represent the coffee growers; the member representing interests manufacturers of instant coffee; Provided that the Chief Coffee Marketing }Co-opted Officer and Director of Research }Members Shall be invited to attend all meetings of the Coffee Quality Committee and participate in its proceedings but shall have no right to vote. (2) Sub-Committee:- A Committee appointed by the Board may appoint a Sub-Committee from among its members for enquiring and reporting on any specified subject or any other purpose within the scope of the functions of allotted to it by the Board. Such Sub- Committee shall have no statutory powers. (3) The Chairman of any Committee appointed by the Board may require any officer of the Board or invite any person or persons to attend any meeting of the Committee but such officer or persons shall have no right to vote. (a) Propaganda Committee _ (3) Functions of Committees:- Subject to such restrictions as may be imposed by the Board, the Propaganda Committee shall discharge all the functions of the Board in regard to such measures as may be undertaken for promoting the sale and increasing the consumption in India and elsewhere of coffee produced in India. (b) Marketing Committee: Subject to such restrictions as may be imposed by the Board the Marketing Committee shall discharge all the functions of the Board in regard to the Coffee Marketing Scheme as set forth in the Act and the Rules. (c) Research Committee: Subject to such restrictions as may be imposed by the Board, Research Committee shall discharge all the functions of the Board in regard to the promotion of agricultural and technological research in the interest of the coffee industry in India. (d) Executive Committee: The Executive Committee in addition to such functions as have been specifically assigned to it under these, rules, discharge any other functions of the Board in regard to matters not specifically assigned to the Propaganda, the Marketing or the Research Committee or any other Committees which may be constituted by the Board. [(e) Development Committee: Subject to such restrictions as may be imposed by the Board, the Coffee Development Committee shall discharge all the functions of the Board in regard to measures that may be undertaken for the development of small holdings of coffee estates. [(0 Coffee Quality Committee: Subject to such restrictions as may be imposed by the Board, the Coffee Quality Committee shall discharge all the functions of the Board in regard to improvement in the quality of the coffee produced in India. 19.Power to call Committee Meetings;- (l) The Chairman of a Committee may, at any time, call a meeting of his Committee and shall do so, if a requisition for that purpose is presented to him by atleast half the total number of members of the Committee. (2) At least ten clear days before the date of any meeting of a Committee, notice of the time and place of the intended meeting, signed by the Chairman of the Committee or the Secretary to the Board, shall be sent to the Government of India (in the appropriate ministry) and left a or posted to address of every member of the Committee. Provided that in case of an emergency, a special meeting may be summoned, at any time, by the Chairman of the Committee who shall inform, in advance the Government of India (in the appropriate Ministry) and Members of the Committee, of the subject matter for discussion and the reasons for which he considers the matter to be urgent. No ordinary business shall be transacted at such special meeting. [20. Quorum;- No business shall be transacted at a meeting of a Committee unless there are present half the number of members constituting the Committee including the Chairman if present or the next lower whole number where the Committee consists of an odd number of members including the Chairman. (2) If at any meeting the number of members present is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than 3 days from the date of the meeting informing the members of the Committee of the date, time and place of the adjourned meeting;

and it shall thereupon be lawful to dispose off at such adjourned meeting the business intended to be transacted at the original meeting, irrespective of the number of members of the Committee present

21. Absence from meetings of a Committee;- Any member of a committee absenting himself from two consecutive meetings without leave of the Chairman and, in any case , from three consecutive meetings shall cease to be a member of the Committee

22. Filling of casual vacancies;- (l) Any casual vacancy on a Committee shall be filled by the remaining members of the Committee from amongst the members of the Board at the next meetings of the Committee.(2) A person appointed in a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred. Provided that when a member goes on leave, the person co- opted shall hold office, until the member returns from leave.

23. Presiding over Committee Meeting;- The Chairman of a Committee shall preside at every meetings of the Committee, at which he is present, if he is absent, the Vice-Chairman, if he is a member of the Committee, or the member nominated by the Chairman shall preside; but if the Chairman of the Committee or the Vice-Chairman or the member so nominated is absent, the member present at a meeting shall elect on of their member to preside at that meeting

24. Agenda;- The Chairman of a Committee shall cause to be prepared and circulated to the Govt. Of India (in the appropriate Ministry)and among members of the Committee at least seven days before a meeting of the committee, a list of business to be transacted at that meeting. (2) No business not in the list of business shall be taken up without the permission of the Chairman

25. Business by Circulation;- (l) Questions which Committee is required to take into consideration shall be referred, to the members of the Committee either at its meetings or by circulation of papers, if the Chairman of the Committee so directs and copies of all papers so placed at the meetings or so circulated to members shall be sent to the Govt. Of India (in the appropriate Ministry) (2) any proposal or resolution so circulated and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by a majority of votes at a meeting. Provided that - (a) at least a majority of the members of Committee have recorded their views on the resolution or proposal; (b) the paper need not be sent to any member who is absent from India; (c) the Chairman of the Committee shall have the power to require any such decision to be placed before the Board for its consideration and the implementation of the Committee's decision shall be deferred till the matter is considered by the Board. (d) When a question is referred to by circulation of papers, any two members of the Committee may require that the question be considered at a meeting of the Committee and thereupon such subject shall be included on the agenda for the next meeting of the Committee. (3) When any business is so referred to the members of a Committee by circulation, a period of not less than seven clear days shall be allowed for receipt of replies from members. Such period is to be reckoned from the date on which notice of business is issued. (4) If a resolution or proposal is circulated the result of the circulation shall be communicated to all the members and to the Govt. of India (in the appropriate Ministry) (5) All decision on questions arrived at by circulation of papers shall be placed at the next meetings of the record

26. Voting;- (l) Every question at a meeting of Committee shall be decided by a majority of the members present and voting on that question

27. Record of Business;- (l) A record shall be maintained by the Secretary to the Board of items of business transacted by the Board and of Committees thereof and copies of such records shall be submitted to the Central Government.(2) The recorded of business transacted at every meetings of the Board and of the Committees shall be signed by the Chairman or the member presiding at such meetings. (3) When any business is transacted by circulation of papers a record is the business so transacted shall be signed by the Chairman of the Board or the Committee as the case may be directing the circulati on. [28. Travelling and other allowances to members of the Board and its Committees;- (l) A member of the Board or 'any committee other than a Government servant shall be entitled to drawing respect of any journey performed by him for the purpose of attending a meeting of the Board or of a duly constituted Committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, Travelling allowance and Daily Allowance at the highest rates admissible to Govt. Servants of the first grade under the rules and orders made by the Central Govt. And for the time being in force. (2) In

case of any journey performed by an official of the Central or the State Government especially nominated by the Board to serve on any adhoc Committee or any other Committee or to attend to any other business of the Board, the Travelling and Daily Allowance admissible to him shall be payable by the Board, at rates admissible to him under the rules of the Government under which he is for the time being employed. (3) No travelling or Daily Allowance shall be allowed to a member of the Board or of any committee unless he certified that he has not drawn any Travelling or Daily Allowance from any other source in respect of the journey and halt for which the claim is made. (4) Travelling Allowance shall be payable from the usual place of residence of a member of the Board or any of the committees to the place of the meeting or the place where he has gone to attend to any business of the Board and back to his place of residence. Provided that when the journey commences from or the return journey terminates at any other place, the Travelling Allowance shall be limited to the amount that would have been payable had the journey commenced from or terminated at the usual place of residence, or to the amount payable in respect of the actual journey undertaken whichever is less. • The present highest rate of road mileage admissable to the non official members of the Board under the rules and orders made by the Central Covernment and for the time being in force is at the rate of Rs. 1 30 paise per kilometer on the actual mileage travelled by road in the public interest. The present highest rate of Daily allowance admissible to the Government servents of the first grade under rules and orders made by the Central Government and for the time being in force is Rs.49/-* (O.M No. 19030/2/81-E.IV dated. 19.11.1981) (0 M.No 19043/2/82-E IV dated 06.01.1983) The present highest rate of Daily allowance admissible to the Government servants of the first grade under rules and orders made by the Central Government and for the time being in for is as under Rates of D A for halt at various stations are given below; 'A' Class cities and 'B' Class cities and All other places specially expensive expensive localities I ocaliti es Ordinary Rs.80/- Hotel Rs 175/- Ordinary Rs.65/- Hotel Rs 150/- Ordinary Rs 60/- Hotel Rs.135/- GIO.(I) S R 51 DA for stay in a hotel or other establishment providing boarding/and/or lodging at sheduled tariff. D.A claimed in excess of the 01dina1Y rate should be supported by voucher of the hotel etc., for lodging charges. G.IO.(I) SR 51 Provided further that in special circumstances and with the previous approval of the Central Government, the Chairman may grant Travelling Allowance from places for the than usual place of residence of a member. Conveyance Allowances:- No Conveyance Allowance for attending meetings of the Board or any of the Committees of any other business of the Board, shall be paid to those members of the Board or any of the Committee who draw Travelling or Daily Allowance, Provided that a members of the Board or the Committees who is resident at place where meeting of the Board or any of the Committees is held or where any other business of the Board is transacted, may be paid the actual expenditure incurred on conveyance by him subject to maximum of Rs. IO per day _ 29. Revision:- (l) The Central Govemment may, for reasons to be recorded in writing, review any decision of the Board or its Committees and pass such order in the matter as it thinks fit (2) A copy of such order of the Central Government shall thereupon be sent to the Board or the Committee concerned, as the case may be, by the Central Government. (3) On receipt of a copy of the order as aforesaid, the Board or the Committee, as the case may be, may make a representation to the Central Government against the said order and the Central Government may after considering the said representation, either cancel, modify or confirm the order passed by it under Sub-Rule (l) or take such other action in respect of the matter as may in the opinion of the Central Govemment be just or expedient, having regard to all the circumstances of the case

CHAPTER IV The Board and its establishment 30. Salaries and Allowances:- The salaries, allowances, pension, leave and other contributions, if any, of the Chairman and other officers appointed by the Government under Section 9 shall be met from the Board's funds

31. Board's Establishment:- (l) The Board shall, from time to time, subject to scrutiny at budget stage, sanction such other establishment as is not covered by Section 9 and may, lay down the method of recruitment, the conditions of service, the pay and allowances of all such officers and servants to be employed by it provided that the Board shall, without the previous sanction of the Central Government, create any post maximum salary of which exceeds. Rs. 5,000/- per mensum in the case of technical posts and Rs.4,500/- per mensum in the case of non-technical posts or make appointments thereto or frame recruitment rules thereof. Provided also that the confirmation of direct recruit in a post, the maximum salary of which exceeds Rs. 1,300/- per mensum in a key post identified by the Board in consultation with the Central Government shall be made with prior approval of the Central

Government. Provided further that in case of exigencies, temporary posts which would need to be created in the interests of Board and the maximum salary of which posts does not exceed Rs. 5,000/- per mensum in the case of technical posts and Rs.4,500/- per mensum in the case of non-technical posts may be created by the Chairman and appointments against them be made by the Chairman or other officers of the Board as hereinafter specified. (2) (a) Filling in posts by Direct Recruitment:- (i) All vacancies in the rank of officers to be filled by direct recruitment, shall be advertised and all vacancies in other ranks shall be notified to the Regional Employment Exchange concerned. (ii) A statement of all applications received from candidates and recommendations from the Employment Exchange shall be made and placed before the authorities competent to make appointments under these rules. (iii) In respect of all vacancies in posts of Class I V, appointments shall be made by the Chief Coffee Marketing Officer, Director of Propaganda, Director of Research or the Secretary as the case may be, from the statement of applicants placed before them. The Chief Officer of the department concerned may delegate, with the approval of Chairman, to any officer of the department such of the powers under this rule as he may deem fit. (iv) In respect of all vacancies in Class Ill, appointments shall be made by the Chairman from the statement of applicants placed before him and he may delegate to the Chief Officer of the depanment before concerned such of his powers under this rules as he deem fit. (V) In respect of posts of all officers, other than those mentioned in Section 9 and whose maximum salary exceeds Rs.5,000/- per mensum in the case of technical posts and Rs.4,500- per mensum in the case of non-technical posts, appointments shall be made by the Chairman from the statement of applicants placed before him in consultation with the Executive Committee. (2) (b) Filling of posts by Promotion:- (i) If a vacancy in respect of posts of Class IV in Board's establishments is to be filled up by promotion, the cases of candidates for promotions shall be examined by the Chief Officer of the Department concerned and appointments shall be made by him (ii) If a vacancy in respect of post of Class Ill in Board's establishment is to be filled up by promotion, the cases of all the candidates for promotion, shall be examined by the Chairman and appointments shall be made by him. (iii) If a permanent vacancy in respect of sanctioned posts of officers in the Board's establishment the maximum salary of which does not exceed Rs.5,000/- per mensum in the case of technical posts and Rs.4,500/- per mensum in the case of non-technical posts is to be filled up by promotion, the cases of all the candidates eligible for promotion, shall be examined by the Chairman and appointment made by him (iv) If permanent vacancy in respect of sanctioned posts of officers in the Board's establishment, not covered by Section 9 or the maximum salary of which exceed Rs.5,000/- per mensum in the case of technical posts and Rs.4,500/- per mensum in the case of non- technical posts is to be filled by promotion, the cases of all the candidates eligible for promotion, shall be examined by the Board and appointments shall be made by it subject to the approval of the Central Government. (2) (c) Filling of temporary vacancies in sanctioned posts:- [Filling of temporary vacancies in respect of sanctioned posts which are not covered by Section 9 shall be filled by the Chairman in respect of Officers and Class Ill staff, and by other officers to whom the powers have been delegated in respect of Class IV staff and the pay of the incumbents in such temporary vacancies shall be regulated in accordance with the Fundamental Rules and Supplementary Rules applicable to Government servants of Central Government] (3) Posting and Transfer:- Postings and transfers of all officers and servants of the Board shall be made by the Chairman who may delegate this power subject to such conditions as he thinks fit to the other officers of the Board. (4) Pay, Leave and allowances including Travelling allowances:- (i) The pay, leave and allowances of all officers and servants appointed by the Board shall, so far as may be, regulated in accordance with the Fundamental Rules and Supplementary Rules applicable to Government servants of the Central Government. The Chairman may grant leave to all such officers and servants and may also delegate this power to the officers of the departments subject to such conditions as he thinks fit (ii) The pay, leave and allowances including Travelling Allowances of officers mentioned in Section 9 also permanent Government officers lent or transferred to the Board shall be regulated by the Central Government. Note. The pricipal rules were published vide No.S R.O. 1966 in the Gazette of India Extra-ordinary dated the ISt August, 1955 and were subsequently Amended by 2. 3

4. Notification No.G.S R.359 Published in the Gazette of India dated 24.03.62 Notification No.G_S R 551 published in the Gazette of India dated.22 04 67 Notification No.G.S.R. 1888 published in the Gazette of India dated 23.12.67 Notification No.G_S R 632 published in the Gazette of India dated.01 05 71. 5. 6 7. 8 9. 11 13 Notification No.G_S R 289 published in dated A 1.03.72 Notification No.G.S.R.457 published in

dated.21 04 72. Notification No.G_S R 929 published in dated05.08.72 Notification No.G.S.R. 1077 published in dated.02 09 72. Notification No.G_S R 369 published in dated. 07.04.73 IO. Notification No.G.S.R.1192 published in dated. 14 08 76. Notification No.G_S R 666 published in dated.21.06.80 12. Notification No.G.S.R.256 published in dated.25 02 85. the Gazette of India the Gazette of India the Gazette of India the Gazette of India the Gazette of India the Gazette of India the Gazette of India the Gazette of India Notification No_G.S.R.36 published in the Gazette of India dated. 17.01.87 [(4A) Grant for advance for building etc.,of house:- (i) An advance for building a new house (including purchase of land for the purpose) or for purchase of ready built house or the enlarging living accommodation of an existing house owned an officer (Other than one appointed by the Central Government) or other employee of the Board of for redemption of any earlier loan taken for the purchase or construction of new house may be granted to such officer or employee at such rates and on such conditions as may be determined by the Board in conformity with the rules of the Central Government for the time being in force regulating the grant of advances for building etc., of houses of Central Govemment servants. (ii) The Advance specified in (I) above may be granted for the same purpose to an officer of the Board appointed by the Central Government also, at such rates and on such conditions as may be admissible to officers holding comparable posts under the Central Government in accordance with the rules of the Central Govemment for the time being in force. The grant of advance is subject to the availability of funds under the head "Advances recoverable bearing interest. (iii) the Board, the executive Committee and the Chairman shall have power to grant advances upto the amounts specified below: Board Executive Committee Chairman over between upon Rs.50,OOO Rs.30,OOO & 50,000 Rs.30,OOO (4B) Grant of advances for the purchase of motor car, motor cycle and bicycle:- Advances for the purchase of mot car, motor cycle and bicycle may be granted to the officers and employees who are in permanent employ of the Board at such rates and conditions as may be admissible to officers and employees holding comparable posts under the Central Government in accordance with the rules of the Central Government for the time being in force. Subject to the concurrence of the Central Government, permanent Government servants on deputation to the Board will also be eligible to the grant of such advances from the Board in accordance with the aforesaid rules. The grant of advances is subject to the availability of funds under head " Advance recoverable bearing interest". [(4C) Notwithstanding anything contained in Class (i) of Sub-Rule (4) deduction may be made from the salaries of officers or other employees of the Board referred to in the Sub-Clause with the written authorisation of such officer or employee for payment of any premium on his life insurance policy to the Life Insurance Corporation of India established under the Llfe Insurance Corporation Act 1956 (3 1 of 1956). [(4C) Grant of winter clothing advance:- An advance for the purchase of winter clothing may be granted to the staff of the Board at such rates and on such conditions as may be, determined by the Board in conformity, as far as may be, with the rules of the Central Government for the time being in force, regulating the grant of advances to Central Government servants. Penalties:- (l) The following penalties may for good and sufficient reasons be imposed on the officers and servants of the Board, namely:- (a) censure: (b) recovery from pay of the whole or part of any pecuniary loss caused to the Board by negligence or breach of orders: (c) with holding of increments or promotion; (d) reduction to a lower rank in the seniority list or to a lower post or to a lower stage in a time-scale; (e) removal; (D dismissal; (g) compulsory retirement (ii) the Chairman may impose any of the said penalties in respect of all officers and servants whom he is empowered to appoint and may delegate the powers under this rules officers under him such extent as he deems fit. (iii) The Chairman may impose any of the penalties specified in Sub-Clause (a) in Sub-Clause (i) on other officers and servants of the Board and also on officers mentioned in Section 9 but shall intimate the action taken by him in this regard in respect of the letter to the Government of India in appropriate Ministry. (iv) the Board may impose the penalties specified in Sub-Clause (b) to (g) of Clause (i) in respect of the officers and servants appointed by it and may delegate these powers to the Executive Committee to such extent as it deems fit subject to the conditions, namely- (a) that no person shall be removed or dismissed from or reduced in the office, the maximum salary of which exceeds Rs. 1,300 per mensum without the sanction of the Central Government. (b) that not person shall be removed, dismissed or reduced by an authority lower in ranks than the authority empowered to appoint him substantively to the post he holds; (c) that no person shall be removed, dismissed or reduced without giving him reasonable opportunity to show cause against such action; (d) that these powers shall not be exercised in respect of officers mentioned in Section 9 and permanent Government officers transferred to

the Board. Provided that no punishment shall be inflicted on Government officers lent to the Board except by the Government concerned. (6) The Board may delegate its powers under this rule to the Executive Committee. 31A. Person cum — gratuity benefits to employees of the Board; Every employees of the Board, other than an employee who is on deputation to the Board, shall be entitled to pension and death-cum- retirement gratuity (including family pension, extraordinary pension and commutation pension) at such rates and under such conditions as are prescribed in the Liberalised Pension Rules and the Family Pension Scheme for central Government Employees, 1964 as amended from time to time or such other orders of the Central Government regulating grant of pension and gratuity to its employees of the corresponding grade. Provided that any such employee who was in the service of the Board before the 1st April 1963, and is continuing in such service on the 18th January 1965, may, within three months from the date last mentioned, opt, in writing, for the benefits of the Coffee Board Provident Fund Scheme, in which case nothing in this rule shall apply to such employee; Provided further that where the contributory Provident accounts of any person who was in the service of the Board on the 1st April 1963, and who ceased to be in such service after that date but before the 1 8th January 1965, due to retirement on superannuation or death have not been settled before the date last mentioned then, such person shall be deemed to have opted to be governed by this rule. Provided further that where a person, who was in the service of the Board on 1st April 1963 but has ceased to be in the said service before the 18th January 1965 and whose provident fund accounts have been settled in agreeable to refund to the Board the Board's contribution paid to him, such person shall also be deemed to have opted for pension. I In this rule and in rule 31 (B) (i) "liberalised Explanation [Pension Rules" means the Liberalised Pension Rules of the Central Government, for the time being in force, regulating the grant of pension and gratuity to its employees. [ ] (ii) "Family Pension Scheme" means the Family Pension Scheme 1964 of the Central Government for the time being in force, regulating the grant of family pension to the persons entitled thereunder.] ["3 IB-Not with standing the provisions of Rules 31-A if in the case of an employee of the Board who comes under the purview of the Employees' Provident Funds, and Family Pension Fund Act 1952 (19 of 1952), the amount payable to him upon his ceasing to be the employee of the Board by way of pension or Death Cum-Retirement Gratuity under the Liberalised Pension Rules be less than the amount that shall be payable if he were a member of the Employees' Provident Fund Scheme, the Board shall pay the different to the member as compensation out of the Pension Fund, such payments may be sanctioned by the Chairman. "] CHAPTER FINANCES AND ACCOUNTS OF THE BOARD 32. Power to incur Expenditure: - (l) Subject to the Provisions of the Act and these rules, the Board may incur such expenditure as it may think fit and write off losses or waive recoveries upto Rs.10,OOO for losses due to theft, fraud and negligence and Rs.20,OOO for other cases in any single case. Provided that save with the previous sanction of the Central Government, no expenditure shall be incurred which is in excess on the allottment under any head in the budget sanctioned by the Central Government; Provided further that the Central Govemment may be standing instructions permit such expenditure generally within limits that may be laid down by it. (a) The Board may delegate the powers under Sub-Rule (l) to the Chairman or any of its committees or its officers. (2) (a) Reappropriations within and between the head of expenditure specified in sub-clause (i) to (vi) of clause (g) of sub-rule (2) of Rule 33 may be made by the Board and the Board may delegate its powers in this behalf to the Chairman or to any of its Committees to such extents as it may think fit (b) Reappropriations within and between the other heads of expenditure shall not be made save with the previous sanction of the Central Government or within such limits as may be laid down by its in this behalf. (3) Subject to such restrictions as may be imposed by the Board the Executive Committee shall exercise all powers of the Board in regard to the control and disposal of the General Fund and the Marketing Committee shall exercise all powers of the Board in regard to the control and disposal of the Pool Fund; other Committee shall also exercise all powers of the Board in regard to the control and disposal of such fund as are placed by the Board at their disposal

33. Budget Estimate: (l) The Board shall in each year prepare a budget for the General Fund for the ensuing financial year and shall submit it for the sanction of the Central Government on or before such date as may in this behalf be appointed by that Government.(2) The budget shall be in such form as the Central Government may direct and shall include a statement of:- (a) the estimated opening balance (b) the estimated receipts from the Custom Duty on all coffee levied under Section I I (c) the estimated receipts from issue of licences and from other sources (d) loans received from Central Government under

Rule 38A (e) recovery of loans granted under Rule 38-B; (f) interest of other charges on loans; (ft) recovery of advances granted under sub-rules (4A) to (4D) or Rule 31) (g) the proposed expenditure classified under the following heads or such other heads as the Central Government may direct namely: (v) (vii) (viii) (ix) (x) Administration of the Board, Development, Research, Propaganda, Publicity in India, Publicity outside India, Labour welfare, Pension, Works, Payment of advance under Sub-rule (4A) to (4D) of Rule 31, payment of loans granted under rule 38-B, interest or other charges on loans taken from the Central Government repayment of loans taken from the Central Government, others. (3) The Proposed expenditure under each head shall be further classified under the following Sub- heads. (iii) (iv) (4) Pay of Officers Pay of Establishment Allowances, honoraria etc Other charges, contingencies etc Supplementary estimates of expenditure, if any, shall be submitted for the sanction of the Central Government in such form and on such dates as may be directed by it in this behalf. The High Commissioner for India may functions Agent of (5) the Board for promotion of sale of coffee in the United Kingdom, and may be authorised by the Board to incur such expenditure as he deems fit subject to the budget provision for the purpose. He shall be supplied with funds by the Secretary by remittance from the General Fund Account, Before the close, of each year he shall prepare budget estimates for the ensuing year showing the opening balance, receipts expenditure and closing balance and send them to the Secretary for adoption by the Board and submission to the Central Govemment for approval 34. Accounts of the Board:- The Board shall maintain separate accounts for the General and Pool Funds. (1) General Fund:- (i) In respect of General Fund relating to each year for which budget estimates are prepared, the Board shall maintain accounts of receipt and expenditure in such form as may be prescribed (ii) The audited statement of receipts and expenditure for each period together with the auditor's report therein shall be submitted to the Central Government. (iii) After the close of each year, the High Commissioner shall send to the Secretary and audited account of his receipt and expenditure. The Secretary shall place the statement before the Board and afterwards transmit it to the Central Government. (v) The accounts of the receipts shall be shown under the following heads:- (a) (b) (c) (d) (e) (D (a) (b) (c) (d) (e) (D (g) Moneys received under Section 13(1); Moneys received and the Provision to Section 32 (2); Loans received from the Central Government under Rule - 38A, Recovery of loans granted under Rule 38-B; Interest or other charges on loans;] Fees levied and collected by the Board under the Act] Recovery of advance granted under Sub-rules (4/a) to (4D) of Rule 31;] The opening balance if any, shall also be stated as such separately; Accounts of expenditure shall be shown under the following heads:- Administration of the Board. Measures taken for promoting the cultivation and curing and/or processing of Indian Coffee. Measures taken for promoting the sale and increasing the consumption in India and elsewhere of India Coffee _ Measures taken for Promoting agricultural and technological research in the interest of coffee industry in India. Statistics. Grants under Section 31 (2)(c) and (e), Payment of loans granted under Rules 38-B, (h) (1) (i) (jj) (a) (b) (c) (d) (e) (f) (g) Repayment of loans taken from the Govemment under Rule 38-A Payment of interest or other charges on loan. Miscellaneous. Central Payment of advances under Sub-rules (4A) to (4D) of Rules 31; The closing Balance of the year shall be shown at the foot of the accounts of the expenditure side. Pool Fund:- (l) The accounts of the Pool Fund 2. shall be maintained separately for each, season and in such form as the Board may direct and shall show inter alia - The amount realised on account of the sale of coffee from surplus pool The total sum distributed to registered owners, The expenditure on account of curing coffee received in the surplus pool, The amount spent in purchasing coffee from registered owners. Expenditure on account of the administration of the surplus pool for which budget estimates are prepared and got approved by the Board, and Expenditure on account of the marketing of coffee deposited in the surplus pool The audit report on the account of the Pool Fund together with the explanatory notes shall be put up to the Board for approval

35. Deposit of Funds of the Board in Banks and the Investment of such Funds: - Money required for current expenditure of the Board with exception of petty cash and surplus moneys shall be kept in an current account in such Banks as the Central Government may approve. Any funds not required for Current Expenditure of the (2) Board may be placed in deposit with the Central Government in public Account of India or invested, with the State Bank of India, its subsidiaries or any other nationalised bank and such funds of the Boards as are not derived from the Central Government grants or from the Collection of (Duty of Customs referred to in Section I l) of the Act may also be deposited with such other banks as may be approved by the Central Government for this purpose. Provided that the moneys in the

Board's provided funds and pension fund not required for current expenditure may be invested in any of the Government Securities or kept deposit with the State Bank, its subsidiaries or any other nationalised banks . Explanation for the purpose of this sub-rule 'Nationalised Bank' means of corresponding new banks as defined in the Banking Companies (Acquisition and transfer of undertakings) Act, 1970 (5 of 1970). The placing of the money in deposit with the Central (3) Government or in any of the banks referred to sub-rule (2) shall require the sanction of the Chairman. Payments by or on behalf of the Board shall be made in cash (4) or by cheque drawn against a current account of the Board. The cheque referred to in Sub-Rule (4) and all orders for (5) making deposits or investments or for the withdrawal of the same or for the disposal in and other manner of the General Pool Funds of the Board shall be signed', (i) in respect of the General Fund by the Chief Accounts Officer or any other officer duly authorised by the Board in this behalf and countersigned by the Chairman or any other officer duly authorised by him (ii) in respect of the Pool Fund by the Chief Accounts Officer or any other officer duly authorised by the Board in this behalf and countersigned by the Chairman or any other officer duly authorised by him. (6) The Chairman may also authorise withdrawal from the General or Pool Fund account for opening subsidiary current account in Banks approved by the Central Government in the official designation of the Director of Research or any other officer authorised by the Director of Research or other Marketing Officers to enable them to make payments

36. Contracts:- (l) [The Board may enter into contracts for the discharge of the duties entrusted to it under the Act provided that every contract which involves expenditure in excess of twenty lakhs rupees shall require the previous sanction of the Central Government.(2) The Board may delegate to the Chairman or any Committee the power to enter into contracts to such extent as it deems fit. (3) The Board may issue subsidiary orders authorising the officers of the Board of its agents to execute contracts specifying the clauses of contracts and the condition subject to which they may be executed. (4) Contracts shall not be binding on the Board unless they are executed by the Chairman or any officer or agent authorised by the Board with the previous approval of the appropriate authority concerned. (5) Neither the Chairman nor any officer of the Board nor any member or agent of the Board shall be liable for any assurance or contracts made by the Board but any liability arising under such assurances or contracts shall be discharged from the moneys at the disposal of the Board. 36-A. Financial Transactions in General:- [Except as otherwise provided in these rules the provisions of the Central treasury Rules and the General Financial Rules of the Central Government shall, as far may be and subject to such modifications or adoptions as may be made by the Board therein, apply to all financial transactions of the Board" CHAPTER VI Powers of the Board and its Chairman 37. Restriction on Delegation of Powers:- The Board shall not delegate any of the following powers to the Committees:- the power to sanction non-recurring expenditure in excess of a) Rs.2,00,000 in respect of any single item and recurring expenditure which involves an outlay of more than in a year (on any single item) b) the power to adopt the budget estimates of the Board on its behalf; the power to sanction expenditure to be incurred outside India c) in excess of Rs. 10,000 in respect of any single item; d) the power to re-appropriate estimated savings in excess of Rs 20,000 in the case of any single item ; and e) the power to write off or waive recoveries in excess of Rs. 10,000 in any case

38. Borrowing Powers:- The Board shall have power to take money on loan from a bank or banks approved by the Central Government against the securities held by such banks on behalf of the Board or against the security of Pool Fund or on the security of the coffee delivered or treated as delivered for inclusion in the surplus pool for purposes for which it is authorised to expend money from the General Fund or the Pool Fund upon the following conditions namely:- (a) no such loan for the General Fund or the Pool Fund shall be taken without the matter being placed before the Executive Committee of the Board in respect of a loan obtained for the General Fund and before the Marketing Committee of the Board in respect of a loan obtained for the Pool Fund, (b) every such loan shall be repaid with two years from the date on which it was taken; and (c) the total of such loans outstanding at any one time shall not exceed rupees. Two hundred Seventy Five Crores. 38-A:- The Board shall also have power to take money on loan from the Central Government on which terms and conditions as may be determined by the Board and said Government for the purposes for which it is authorised to expend money from the General Fund under Clauses (b) to (d) of Sub-Section (2) of Section 3 1 Provided, however, that no such loan shall be taken without the matter being placed before the Executive Committee. (2) The amount borrowed as aforesaid shall be credited to the General Fund 38-B: (l) The Board may on such terms and conditions as may be laid down by it from time to time and approved by the Central Government. (a) lend moneys to registered owners, to planters, pulping co- operative societies and to co-operative societies for processing or curing coffee, and (b) purchase shares in the societies referred to it Clause (a) (2) The Board may delegate its powers under Sub-Rule (l) to the (Development Committee) the Chairman or any officer of the Board to such extend and upon terms as may be fixed by it. 38-c 38-C:- (l) The Board may fix a schedule for each year for payments to be made under Section 34 for coffee delivered by any registered owner for inclusion in the surplus Pool and may, on the request of any registered owner, make any payment in advance of the date when it falls due under the schedule so filled, but in the case of any such advance payment to a registered owner, he shall be required to pay interest at such rate as may be determined by the Board until such payment falls due in accordance with schedule. (2) The advance or accelerated payment so made (together with interest due thereon) shall be first charge upon the moneys incoming into the hands of the Board at the credit of the registered owner (guarantee of this aid) and shall be recoverable there from by deduction and appropriation. Powers of the Chairman:- (l) The Chairman shall be 39. responsible for the proper functioning of the Board and the Committees thereof and the implementation of the decisions arrived at by the Board or by the Committees and the discharge of the duties imposed on him by these rules or under the Act. (2) The Chairman shall be the principal executive officer of the Board and shall exercise administrative control over all departments and officers of the Board. (3) Subject to such delegations as may be made by the Chairman to such other officer or officers as may be appointed for the purpose of this rule, the Chairman shall: (a) cause all important papers and matters to be presented to the Board as early as practicable, (b) issue direction as to the method of carrying out the decisions of the Board (c) grant or subject to a resolution by the Board authorise some other person to grant, receipts on behalf of the Board for all moneys received under the Act; (d) maintain or cause to be maintained an account of the receipts and expenditure of the Board ; and (e) present an annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government. (4) Subject to the budget provision, the Chairman may sanction expenditure on contingencies, supplies and services and purchase of anicles required for the working of the office of the Board and required for the execution of measures in furtherance of the objects of the act: (4A) The Chairman shall have the powers of the Board under section 38B and Sub-section (2) of section 40 of the Act. Provided that the Chairman may be order in writing delegate any of his powers under this sub-rule to any other officer or officers of the Board. The Chairman shall have, in addition to such powers as may (5) be delegated to him by the Central Government or the Board in accordance with provisions of the Act. (i) (a) Power to inspect by himself or by any officer of the Board authorised by him in this behalf or to appoint agents for the purpose of inspecting any registered estate or licensed curing establishment or any place where coffee is stored or exposed for sale and to examine the books of any such estate or establishment or place; (b) Power to check the composition blends manufactured by different roasters and to issue certificates to them indicating the composition and to inspect himself or to authorise his subordinate officers to inspect any roasting establishment and to examine accounts and records of any such establishment and to collect samples of blends for inspection;

(ii) Power to issue a permit for the re-importation of Indian Coffee of India; (iii) Power to issue licences for sale of uncured coffee or in respect of curing establishment, (iv) Power to require the Board or any Committee to defer taking action, pending a reference to the Central Government, on any decision on any of the following matters. (a) division of the crop of a registered estate on the basis of percentage to be allotted to each estate; (b) administration and marketing of the surplus pool (c) issue of licences to registered owners for the sale on the Indian market of uncured coffee. (d) licensing of coffee curing establishments, (e) fixing of a differential scale for valuing coffee (f) modification or cancellation of contracts (g) borrowing of any money by the Board, and (h) any other matter which in his opinion is not in the public interest or against the declared policy or intention of the Central Government. (i) such other power as may be delegated to him by the Board. Provided that all or any of the powers specified in Clauses (i) (ii) and (iii) and Sub-Clauses (a) (b) (c) and (d) of Clauses (iv) may be delegated by the Chairman to the Chief Coffee Marketing Officer by an order in writing either generally of within a prescribed jurisdiction. Provided further that where a matter has to be disposed off by the Board or a Committee and the decision cannot wait till a meeting of the Board or the appropriate Committee, as the case may be is held or till completion of circulation of papers, the Chairman may take a decision himself and after taking decision thereon (he shall formally place the decision so taken before the Board or the Committee, as the case may be). (6) The Chairman shall have power to sanction honorarium upto Rs 5,000/- per annum in each case of assessment work done for coffee samples and Rs. 1000/- per annum in each case for other purposes like meritorious work and special item of work not

forming a part of one's official duties. Chapter VII Marketing & Licensing 40. Purchasing and Selling Coffee by the Board in the internal The Board may, and if so directed by the Central market:- Government shall purchase coffee from the Indian Market, when the Board, or as the case may be the Central Government is satisfied. (i) that the amount of coffee available for sale in the Indian market exceeds or is likely to exceed the estimated demands the Indian market to such an extent as to cause or threat a serious fall in prices or (ii) that there is not enough coffee of the kind or quality in the surplus pool to enable the Board to fulfil the demands for the export of coffee. 2). The Board may release coffee from the surplus pool for sale in the Indian market in its discretion and shall do so:- (i) When it is satisfied that the amount of coffee available in the internal market according to its kind and quality falls short of the requirements of the Indian market ; or (ii) When necessary directions are issued by the Central Government. (iii) ["The Board shall sell the coffee from the surplus pool by common Auction for internal market and for export purpose at such intervals and on such dates as the Board may fix in this regard. Provided that the interval between any two auctions, except with the prior approval of the Central Government, shall not exceed thirty

41. Appointment of Agents:- The Board may appoint any person or body of persons to act as its agents for all or any of the following purposes: namely:- (a) marketing of coffee in the Indian market for for export (b) storing of coffee which is in the custody of the surplus pool (c) supervising the curing of coffee by licensed curing establishments and the deliveries of cured coffee by such curing establishment to the surplus pool (d) collecintg of coffee from planters for delivery to the surplus pool; and (e) making payments from the funds received from the Board to planters on coffee delivered

42. Remuneration to Agents:- The Board shall fix the remuneration to be granted to the agents for the services rendered by them.43. [Licence for sale of Uncured Coffee from an Estate:- The Licence to be issued by the Board for the sale of uncured coffee for the whole amount of coffee covered by free sale quota of the estate or for any lower quantity shall be in Form A. No fee shall be payable for the licence".] 44. Export of Coffee:- (l) The Board may authorise the export of coffee under Section 20 under such terms and conditions as it may deem fit in any of the following cases, namely (i) [coffee sold by the Board in pursuance of its functions under Section 26, (ii) roasted or prepared coffee (iii)"coffee of free sale quota allotted to the estate under Section 24 (iv) coffee exempted from inclusion in the surplus pool under the second proviso to sub-section (l) of Section 25".] (2) The Board shall issue orders for the export of coffee and permits for re-importation of exported coffee in Forms C and D respectively

45. Licensing of Curing Establishment:- (l) An application by curing establishment for a licence under Section 28 shall be accompanied by a free of rupees five. Provided that the Board may exempt from payment of licence fee any estate which hulls its own coffee on the estate. (2) (i) A licence to operate as curing establishment shall be in Form E and subject to such conditions as may be specified therein. (ii) The Board may, at any time, after giving a reasonable opportunity to the curing establishment to be heard , cancel a licence, if it is satisfied that the curing establishment has committed a breach of the provisions of the Act or of these rules or of the conditions of licence issued. (3) Licence issued by the Board under Section 24 or Section 28 shall be in numbered forms of which counterfoil shall be maintained by the Board. Such licence shall not be transferable. (4) Every curing Establishment shall at such times or at such intervals as may be required by the Board send by registered Post to the Board statements showing the amount of cured coffee sold by its on behalf of each estate with which it was dealing for the year as defined in Clause (n) of Section 3 and such other particulars as may be prescribed Chapter VIII Miscellaneous [Returns from registered estates:- Every estate owner, 46. subject to the provisions of sub-section (l) of section 14 shall, in respect of each estate owned by him, send by hand delivery or by registered post to the Board:- (a) (b) Before 3 1 st December of each year, a return in Form B describing therein the required information. If a [free] sale quota is allotted for a Crop Season by the Board, the estate shall state whether it desires to have a licence for the sale of uncured coffee and if so the quantity for which such licence is required, Only from such registered owners as are required to do so by the Board before 3 July each year, a return in Form H, (c) Before 3 July of each year return in

Form I.] (l) a registered owner 47. Inspection of Records by Growers:- shall be entitled on application to be Board at any time during business hours to inspect entries in so far as they relate to the estate of which he is the owner and in respect of which application is made in all or any of the following books. (a) Register of growers (b) Register of estates (c) Pool Fund account (2) On payment on such copying charge (as is prescribed below), any registered owner shall be entitled to obtain copies of any entries which he is entitled to inspect under Sub-Rule (l) Such entries shall be certified as correct by an official of the Board authorised in this behalf. [Rs.2 for each application for copies of records for the current year and Rs. 3 for each application for copies of the records of each of the previous years] [47-A. Inspection of Records by Dealers:- The Board may, on receipt of such charges as it may fix also grant any dealer participation, in export pool or local sales copies of account of coffee secured by him in export, pool and local sales. Such entries shall be certified as correct by an official of the Board authorised in this behalf.] 48. Redelegation of Powers: The powers delegated to the Chairman, any Committee or any of its officers may, with the previous approval of the Board, be further delegated by the Chairman or such Committee or officers to any other officers. Form A (See rule 43) No.. Licence for sale of uncured cofee under section 24 Name of the estate Registration Number Regi stered (Survey number in respect of unregistered estate) Name of owner Postal address Estimated crop of rhe season Arabica: l. Parchment 2. Chen-y 3 _ Parchment estate pounded 4 _ Cherry estate pounded Robusta: I _ Parchment 2. Cherry 3. Parchment estate pounded 4. Chen-y estate pounded Other vari eti es: Total Note:- This licence is not transferable. Seal Place: Taluk Di strict Quantity authorised to be sold under licence Signature. FORM B (See rule 46) RETURN TO BE SUBMITTED BY ALL ESTATES . Name of the estate (in block letters) Registration Number 2. Full Postal Address 3 Name of the authorised 4. representative, if any AREA UNDER COFFEE 5. (l) Planted area (2) Bearing area (3) Estimated production during Arabica In Hectares Robusta In kilogramme Other Varieties Total Total the year (4) Production during previous two years 6 (l) Free sale quota. Desired quantity Allotted percentage or lesser quantity (speciW quantity) Plantation 2. Arabica Robusta Robusta Cherry Parchment Cherry Rest Contd . contd. (2) Number of licences Required under each Category for sale of Uncured Coffee (3) Quantity under each Licence (4) Name of the Curing Establishment/Collecting Depot/Board's collecting Depots, where the surplus Pool coffee will be delivered in each of the delivery points i) Name Quantity ii) Name Quantity iii) Name Quantity Note In case, the production estimated is more or less than the estimated fumished above, then a revised estimate should be given as soon as the harvest is completed but not later than 3 1 •q May. DECLARATION I/We undertake to deliver surplus pool coffee with the Pool Agent indicated above. I/We agree that free sale quota availed shall not exceed the quantity allotted to the estate and in case production is less than the estimate given above then free sale quota quantity should be restricted to the production allotted as free sale quota during the year. FROM C See Rule 44(2) COFFEE BOARD Order for the export of Coffee from India No. Authority is hereby accorded to Mr./Mrs_ for the export of Tonnes/Kilogram/Grams of Coffee from the Pon of . to . 2. 3 Seal mace.. Date particulars of this coffee being as under. Coffee sold as per contract No. Type and grade of coffee This permit shall be valid upto.. Chief coffee Marketing Officer Coffee Board (To be sent to the Customs officer by exporters : Customs duty to be paid at Customs Frontier. After shipment original to be returned to the exporter with shipment endorsement by Customs officer as indicated below _ To be entered by the Customs officer of the port of shipment I _ Quantity of Coffe shipped 2. Date of shipment

3. Name of the vessel.

4. Port of destination.... ..... Signature and Designation of Customs Officer). FORM D See Rule 44 (2) Permit for the re-importation of Indian coffee exponed Under Section 21 of the Coffee Act of (Address) Mr coffee which was exported on. ..(under the authority of the Coffee Board Is authorised to re-impolt into India conveyed in their Order No. Dated Seal Place Date . . Tonnes/Kilogram/Grams or Indian Chief Coffee Marketing Officer Coffee Board To be completed if the quantity was exported in terms of Coffee Act, 1942. FORM E See Rule 45 COFFEE BOARD Licence for curing establishment under section 28 of the Coffee Act Name of Curer Seal Place Date . Address of Curer Conditions attatching to licence (if any) Chief Coffee Marketing Officer Coffee Board Note: This licence is not transferable [Form F, Form 1, Form F G] FORM H [See Rule (46)] Cost of production of coffee for the Financial year . Name of estate . Coffee registration certificate No.(CRC No) Address of the Estate.. Range/Division..... Head Office address.... Name and Address of the owner.. Name of the Auditor (if any) Accounting year Followed (Tick Appropriate box) 2 3

4. 5. 6 7 8. 9. (l) April/March or (2) July/June or (3) January/December or (4) Other (specify) (i) Total area of the estate at the close of the last three seasons(figure in hectares) Particulars I year 11 year Ill year Arabica Robusta Total Arabica Robusta Total Arabica Robusta Total (i) Mature bearing area (ii)lmmature bearing* area (iii)Non-bearing area (Young plants) Total planted area Planted area of other Coffee varieties, if any, (i i) Planted area of crops (pure block) Jungle or Reserve land For other purposes Grand total *(Consisting of 4 years or 5 years old plants in case of Arabica and 7 or 8 years old plants in case of Robusta). (iii) Approximate area of interplanted crops mixed with coffee; (iv) Percentage of interplanted crop's mixed with coffee. IO. Total planted area, Bearing area and production expressed in terms of cleaned/cured coffee, (for the last six years) Sl..N0 Particulars 2 1 Year 3 11 Year 4 111 Year 5 Year 6 Year 7 VI Year 8 A B c PLANTATION (i) (ii) (iii) (iv) Mature Bearing Area (a) Arabica(Hectares) (b) Robusta(Hectares) Immatured Bearing Area (a) Arabica(Hectares) (b) Robusta(Hectares) Non-Bearing Area (a) Arabica(Hectares) (b) Robusta(Hectares) Total Planted Area (a) Arabica(Hectares) (b) Robusta(Hectares) PRODUCTION From mature bearing area (a) Arabica(kgs) (b) Robusta(kgs) (ii) (iii) From immature bearing area (a) Arabica(kgs) (b) Robusta(kgs) Total Production Total of B(i+ii) (a) Arabica(in kgs) (b) Robusta(in kgs) PRODUCTION (ii) Chen-y (a) Arabica(kgs) (b) Robusta(kgs) Parchment (a) Arabica(kgs) (b) Robusta(kgs) YIELD PER HECTARE D (in kgs) (a) Arabica (b) Robusta 11. EMPLOYMENT DETAILS; (Please see Note 2 in page IO.) Particulars Average number of persons Employed 2 Salary per month wages per day 3 Other allowance per month I per day excluding Provident fund and Bonus 4 No. I per of months or average No. 5 Cost (2x5) (3+4) 6 (a) Salaries for Administrative Staff Self Employed: Manager Supervisory Clerical Total (b) Wages for field Labourers: Self Employed Men Women Adolescents Total (c) Contract Labour Charges Total

12. Allocation of salaries and Wages (The total cost as per Column 6 may be allocated between Column No.8 to I I suitably and the basis may be indicated). Particlurs Cultivation cost: mature area Cultivation cost. immature area Crop Charges or harvesting charges Amount of Expenditure 3 For other crops including inter- I anted (a) Salaries (b) wages (c) Contract Labour Charges Estate Expenditure Statement Sl No. Name of the Item 2 Total Remarks 4 CULTIVATION COST Material Cost Cost of Manures 13 Cost of Chemicals 14 15. Cost of Tools 16. Cost of Lime Cost of Supplies 17 18. Cost of Gunnies, Mats Cultivation Cost Cost of Labour (Including DA) Jungle Cleaning 19 20. Preparing stocks 21. Line Marking Opening and Closing pits 22 Shade Planting 23 Coffee Planting 24

25. Weeding Manuring 26 Hutting 27 28.29 30 31. 32. 33 34 Scuffling Pruning Shade regulation Pl ant Protecti on Mulching Spraying Miscellaneous Cultural Operation Sub-Total(19-34) Crop Harvesting Cost 35. Picking (Harvesting) 36. Pulping 37. Drying 38. Transporting Sub-Total(35-38) Overhead Charges 39. Labour Welfare and Medical Aid Salaries (including DA and other Allowances) 40. Provident Fund (Employees Contribution only) 41 Visiting Agency Fees 42 43. Other Allowances 44. Bonus Gratuity 45 Watch and Ward/Security 46 47. Insurance 48. Printing & Stationery Postage and Telegrams 49 - Telephone Charges 50 51. Electricity Charges 52. Water Charges Subscriptions 53 Land Tax and Others 54 Agricultural Income Tax 55. Audit Fees 56. Other Estate Office expenses 57 Head Office expenses allocated to the estate 58 59. Cost of Stores and Spares 60. Maintenance of Labour lines Maintenance of Building 61

62. Maintenance of Machinery Maintenance of Vehicles 63 Depreciation (Building) 64 65. Depreciation (Machinery) 66. Depreciation (Vehicles) Depreciation (Others) 67 Transportation charges (to Curing Works/ 68 Collecting Depot) 69. Interest Charges Donation 70 Bad Debts 71 72. Curing Charges Cost of Cultivation 73. Total Cost allocated between ARABICA Mature Immature area Immature area Parti culars Total New Plant- Replan- tation ation area area New Planta- tion area 7 Replan- tation area 8 ROBUSTA Mature Other Crops including inter-Planted 9 2 Material Cost (Total of item Nos.13 to 17 of Estate Expenditure Statement) Labour Charges (Total of item Nos. 19 to 34) Overheads (Total of item Nos. 39 to 43) Plus 46 to 54 Plus 56 to 67 3 4 5 6 74 Crop Charges/Harvesting Charges Total Cost allocated between Particulars Material Costs (Item No. 18) Labour Charges (Total of item No. 35 to 38) Overheads (Total of item 68) 75. Other income eamed Particulars Miscellaneous credits of income Income from other Crops 76. Details of Materials: Total Total Arabica Arabica Quantity 6 Robusta Robusta Rate 7 Other Crops Other Crops 1 CALTIVATION MATERIAL COST Value 8 Purchase reference Sl No. 2 Particulars Unit Name Code* 3 4 5 (a)Cost of Manure Farmyard manure (ii) Chemical fertilisers (b) Cost of Chemicals Total Total (c)Cost of Tools and Machinery Total (d) Cost of lime (e) Cost of other supplies

Total Grand Total HARVESTING MATERIALS COST (a) Cost of Gunnies Total (b) COST OF MATS Total Grand Total For Office use only NOTES: (See Page 3) I _ Production figures (including Estate Pounded Coffee pooled may be fumished as per the Coffee Valuation Reports (CVR's) received from the Curing Works/Collecting Depots. However in case it is not possible to furnish the data as sper CVR's for any reasons, the production figures as depicted in the Excise Records (EB2) may be suitably converted to arrive at the quantities of cured coffee produced by usisdng Board's conversion formula. (See Page 4) 2 The total as per Column 6 and Column 12 should be same. (See Page 6 & 7) (i) In case of big estates and other estates where the records are maintained, the total of the expenditure statement may be reconciled with the Profit and Loss account. (ii) Total cost of labour and salaries may be reconciled with the item Sl No. 12(a), (b) and (c). (iii) In support of cost of materials, details may be furnished separately, as per item No. 76. (See page 7, 8 and 9)

FORM 1 See Rule 46(1) (V) Cost of production of coffee . ... .season Whether the estate is company owned or privately? 2. 3 4. Name of the Managing Agent or Managing Director of the Proprietor. Period covered by the financial year as adopted by the estate. Particulars of (area) broken down under the following heads:- Arabica Robusta Paddy (others crops to be detailed) The above information in respect of coffee is to be given under the following heads:- Total planted area; and 5. 6 Total bearing area Details of new clearings and replanting within the last six years. Number of labourers actually emploWed Sl.No.37 in the last two years. ._(separately for men women and children) This information shall be given under the following heads: a) Daily average nudmber of workers actually working in the estate. b) Total number of workers borne on the rolls. c) Average number of dependents 7 _ Labour quarters and other buildings existing on the estate. a) LABOUR QUARTERS (i) Number of lines and units conforming to specification under the Plantation Labour Act 1951. (ii) Number of lines and units which could be made to conform to the specifications under the plantation Labour Act, with a few alterations or modifications. (iii) Number of lines and units which do not come under either (I) or (ii) above. b) OTI---IER BUILDINGS: Such as staff quarters, bungalows, canteens, hospitals pulp houses, granaries, etc., Type of buildings/constructions Number 2 Signature 3 Note : Amendments are shown in square brackets preceded by a figure and a letter which are abbreviations used to donate the following: Inserted by I- A — Added by O — Omitted by S — Substituted by The Coffee Market Expansion (Amendment) Act, 1943 The Coffee Market Expansion (Amendment) Act, 1944 2- The Coffee Market Expansion (Second Amendment) Act, 1944 The Coffee Market Expansion (Amendment) Act, 1947 The Coffee Market Expansion (Amendment) Act, 1949 Adaptation of Laws Order, 1950 Part B states (Laws) Act, 1951 Repealing and amending Act, M.- VIII of 1952 8- The Coffee Market Expansion (Amendment) Act, 1954 Adaptation of Laws Order, 1956 IO- The Customs Duties and Cesses (Conversion to Metric Units) Act, 1960 11- The Coffee (Amendment) Act 1961 12- The Coffee (Amendment) Act 1985, No.48185 13- The Coffee (Amendment Act 1994) 14 —