

# **Tamil Nadu Oilpalm (Regulation of Production and Processing) Rules, 1994**

TAMILNADU

India

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### **Rule**

### **TAMIL-NADU-OILPALM-REGULATION-OF-PRODUCTION-AND-PROCESSING of 1994**

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Tamil Nadu Oilpalm (Regulation of Production and Processing) Rules, 1994Published vide Notification No. G.O. Ms. No. 677, Agriculture (OS), dated 28th November 1994 - No. SRO A-III (b)/94G.O. Ms. No. 677. - In exercise of powers conferred under sub-section (1) of section 24 of the Tamil Nadu Oilpalm (Regulation of Production and Processing) Act, 1994 (Tamil Nadu Act 34 of 1994), the Governor of Tamil Nadu hereby makes the following rules, namely : -

#### **1. Short title.**

- These rules may be called the Tamil Nadu Oilpalm (Regulation of Production and Processing) Rules, 1994.(2)They shall come into force on and from the Twelfth day of December 1994.

#### **2. Definitions.**

(1)In these rules, unless the context otherwise requires, -(i)"Act" means the Tamil Nadu Oilpalm (Regulation of Production and Processing) Act, 1994 (Tamil Nadu Act 34 of 1994);(ii)"Form" means a form appended to these rules;(iii)"Inspector" means the Oilpalm Inspector as defined in clause (j) of section 2 of the Act;(iv)"occupier" means the occupier of the factory as defined in clause (d) of section 2 of the Act.

### **3. Copy of the Act, Rules, etc., to be kept in the office.**

- The copies of the Act and the rules framed thereunder and notifications issued thereunder shall be kept in the offices of the Commissioner of Agriculture, Oilpalm Commissioner and Joint Director of Agriculture of the factory zones for perusal, free of charge.

### **4. Conduct of Zonal Committee meetings.**

(1)The meetings of the Zonal Committee shall, ordinarily, be held at District Head quarters of the factory zone, but the Oilpalm Commissioner may, for special reasons, summon a meetings at any other place within the factory zone.(2)The Member-Secretary of the Zonal Committee shall send to the members, in writing, notice of the meeting at least 15 days before the date of meeting.(3)Notice of a resolution or motion to be moved by any member of the Zonal Committee shall be given to the Member, Secretary of the Zonal Committee at least 10 days before the meeting.(4)The agenda shall be communicated to all members at least 7 days before the meeting.(5)All meetings shall be presided over by the Chairman. In the absence of the Chairman, any member of the Zonal Committee nominated by the Chairman shall preside over such meetings.(6)Five members shall constitute the quorum for the meeting.(7)No business other than that contained in the agenda shall be transacted at a meeting except with the consent of the Chairman.(8)No motion or amendment shall be discussed at a meeting unless it is seconded.(9)Any motion or amendment of which notice has been given by a member may be withdrawn with the permission of the Chairman.(10)The Chairman shall have a casting vote in case the votes of the members are equally divided.(11)The Chairman shall have powers to decide any point of order or to dissolve or adjourn a meeting.(12)When a meeting is adjourned to a subsequent date by the Chairman for want of quorum, no quorum shall be necessary for the adjourned meeting.(13)In respect of any matter not provided for by this rule, the ruling of Chairman in so far as the Zonal Committee functioning is concerned, shall be final.(14)The Zonal Committee meeting shall be held once in three months.

### **5. Dissolution of Zonal Committee.**

- The Oilpalm Commissioner may dissolve the Zonal Committee with the approval of the Government -(i)when the Zonal Committee does not safeguard the interest of the oil-palm growers and the factory; and(ii)when the Zonal Committee meetings are not held once in three months.

### **6. The Chairman to convene the meetings of the Zonal Committee.**

- Subject to the provisions of the Act, the Chairman shall convene and conduct the meetings of the Zonal Committee.

### **7. Powers and functions of the Inspectors.**

(1)The Inspector shall be the Member-Secretary of the Zonal Committee.(2)He shall inspect the factory premises and ensure for the correct weighment and payment for the produce to the oilpalm

growers in time and proper maintenance of the connected Registers.(3)He shall verify the records, reports, statements and registers maintained by the factory and direct the occupier of the factory to produce them for his verification.(4)He shall carry out the resolutions of the Zonal Committee.(5)He shall furnish to the Zonal Committee the progress made in carrying out the resolutions.(6)He shall bring forward in time all matters to the notice of the Zonal Committee for which approval or sanction of the Zonal Committee is necessary.(7)He shall report to the Zonal Committee the financial position including the receipts and expenditure(8)He shall conduct all official correspondences in implementing the programme.(9)He shall keep accounts of the Zonal Committee in accordance with the instructions issued, from time to time, and produce them before audit or other authorities.

## **8. Purposes for which Zonal Committee Fund may be expended.**

- The fund of the Zonal Committee may be expended for the following purposes, namely : -(a)for acquisition or requisitioning of any site or building or purchase of other assets for the Zonal Committee for carrying out the purposes for which it is established;(b)for providing easy transportation of Fresh Fruit Bunches from the field to the factory including the construction of roads, culverts and bridges in the oil palm area of the factory zone;(c)for payment of interests on the loan raised by the Zonal Committee;(d)for collection and dissemination of information regarding all matters relating to statistics in respect of Fresh Fruit Bunches;(e)for payment towards publicity and propaganda for the promotion off activities regarding oilpalm development programme;(f)for imparting training to oilpalm growers and extension workers; and(g)for such other matters as may arise in the implementation of the programme.

## **9. Forms and Returns.**

(1)The occupier of every factory shall maintain in Form III a correct daily account of the oilpalm Fresh Fruit Bunches entering the factory for consumption or use by the factory.(2)Within a period of twenty-five days of the close of each month, the occupier shall pay into the treasury the amount due as tax on the quantity of oilpalm Fresh Fruit Bunches which has entered the factory during such month.(3)Within a period of twenty-five days of the close of each month, the occupier shall submit to the Oilpalm Commissioner a return in Form-I showing the quantity of oilpalm Fresh Fruit Bunches that has entered the factory during the month and the amount of tax paid by him in the treasury with the receipt in support thereof.(4)The Oilpalm Commissioner shall, on receipt of such return, verify that the amount of tax had been correctly calculated and the full amount thereof has been remitted into the treasury.(5)If the occupier, -(a)fails to keep correct daily account in Form-III or fails to submit on or before the due date; or(b)fails to credit into the treasury on or before the due date, the full amount payable on account of the tax or credits an amount less than the correct amount, or(c)fails to submit the monthly return in Form-I, with the treasury receipts showing that the amount of tax has been duly credited into the treasury, he shall be punishable with fine which may extend to rupees five thousand only.(6)The estimate of oilpalm Fresh Fruit Bunches to be submitted to the Oil-palm Commissioner shall be in Form-III;(7)The occupier shall maintain a register of oilpalm growers in the Zone attached to the factory in the Form-IV. The registers maintained under this rule shall be kept for inspection.(8)The occupier shall issue a book to all

oilpalm growers in the zone on oil-palm grown, assistance extended, loans taken. Oilpalm Fresh Fruit Bunches supplied and all other details as may be necessary for oilpalm development. Guidelines may be issued by the Oilpalm Commissioner, from time to time.

## 10. Weightments of Oilpalm Fresh Fruit Bunches.

(1)All the transactions in connection with purchase of Oilpalm Fresh Fruit Bunches shall be made in terms of Metric Tonnes and Kilograms and it shall not be lawful to use any other weight.(2)No Oilpalm Fresh Fruit Bunches shall be purchased without actual weighment.(3)The net weight of Oilpalm Fresh Fruit Bunches shall be recorded to the nearest kilogram.(4)The occupier shall provide platform balances at the collection centres for weighment of Oilpalm Fresh Fruit Bunches.(5)Wherever possible, that part of the mechanism of a scale or weigh bridge by which its adjustments is controlled shall, be kept suitably sealed or locked.(6)All weigh bridges, scales and weights used, kept or possessed for the purchase of Oilpalm Fresh Fruit Bunches shall be open to inspection, examination and test by an Inspector at all times without notice and shall be made available for such inspection, examination and test by the occupier or purchasing agent concerned at every purchasing centre.(7)An occupier or purchasing agent shall cause all weigh bridges or scales used, kept or possessed by him to be tested as per the laws in this regard in force and shall maintain a record of such test which shall, on demand, be shown to the Inspector.(8)At every purchasing centre, adequate facilities for weighment to the satisfaction of the Oilpalm Commissioner shall be provided by the occupier or purchasing agent to avoid congestion and under weighing in the weighment of Oilpalm Fresh Fruit Bunches and carts shall not be kept waiting for more than five hours without sufficient cause.(9)An occupier shall, -(a)provide regular entry to and exit from all the weighbridges of the factory premises to such distance, as may be required;(b)provide reasonable space for parking of carts and other vehicles waiting their turn for approach to the weigh bridge; and(c)provide sheds and cattle troughs at the factory gate.(10)No deduction shall be made from the weight of the Oilpalm Fresh Fruit Bunches on the ground that the Oilpalm Fresh Fruit Bunches is improperly brought or on any other ground whatsoever.AppendixForm I[See rule 9(3)]

Factory Zone Month, Year:

Quantity of Oilpalm FFB which entered the factory	Amount of tax due at the rate issued by Government	Amount of tax paid into the Treasury	Number and Date of the Treasury Chalan
1	2	3	4
MT. Kg.	Rs. P.	Rs. P.	

Signature of the occupier. Form II [See rule 9(6)]

1. Name of the Factory

2. Site of the Factory

Village  
Taluk  
District

3. Proposed period of crushing :
4. Number of days involved :
5. Crushing capacity per day :
6. Quantity of Oilpalm FFB required during the entire crushing period :
7. Approximate area involved :
8. Quantity of Oilpalm FFB proposed to be supplied by the growers :

Area:

Quantity:

Signature of the occupier. Form III [See rule 9(1)] Date.....

Sl. No.	Name of the farmer	Village	Net weight of fresh fruit bunches received at the factory	Signature of weighman	Signature of the farmer	Signature of the occupier
1	2	3	4	5	6	7

Form IV [See rule 9(7)]

Sl. No.	Name of the farmer with Father's/. Husband's name	Survey Number	Area planted in hectare	Variety	Date of planting	Date of harvest
1	2	3	4	5	6	7
						MT. Kg.
	Quantity harvested	Price fixed (Per Metric ton)	Total amount payable to the grower			Date of payment
	8	9	10			11

Signature of the occupier. Notification Designation of Certain Officer as Oilpalm Commissioner to Exercise the Powers and Perform the Functions Under Tamil Nadu Oilpalm (Regulation of Production and Processing) Act, 1994 [G.O. Ms. No. 678, Agriculture (OS), dated 28th November 1994] No. II (2)/AG/4944 (G-2)/94. - In exercise of the powers conferred by section 8 of the Tamil Nadu Oilpalm (Regulation of Production and Processing) Act, 1994 (Tamil Nadu Act 34 of 1994), the Governor of Tamil Nadu hereby designates the Additional Director of Agriculture (Oil Seeds), Chennai as the Oilpalm Commissioner to exercise the powers and perform the functions of the Oilpalm Commissioner under the said Act.