The Tea Rules, 1954

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1723.

S.R.O.1026, dated the 25th March, 1954. - In exercise of the powers conferred by Section 49 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:

- 1. Short title.- These Rules may be called the Tea Rules, 1954.
- 2. Definitions.- In these rules, unless the context otherwise, requires,-
- (i)"Board" means the Tea Board, constituted under Section 4 of the Act.(ii)"Chairman" means the Chairman of the Board.(iii)"Committee" means any Committee constituted by the Board under Section 8 of the Act.(iv)"Form" means a form set forth in the Schedule to these rules.(v)"Member" means a member of the Board.(vi)"Secretary" means the Secretary of the Board.(vii)"the Act" means the Tea Act, 1953 (29 of 1953).(viii)"Vice-Chairman" means the Vice-Chairman of the Board.(ix)"Year" means the year commencing on the first day of April.
- 3. Office of the Board. The Office of the Board shall be located at Calcutta.
- 4. Constitution of the Board and manner of filling vacancies. (1) The Board shall consists of a Chairman and the following other members who, in the opinion of the Central Government are capable of representing the various categories mentioned in clauses (a) to (h) of sub-section (3) of Section 4 of the Act:

(a)(i)one person representing the Government of Assam;(ii)one person representing the Government of West Bengal; (iii) one person representing the [Tripura Administration] [Substituted by S.R.O. 1986, dated 16th May, 1957](iv) one person representing the Government of Madras;(v)one person representing the Government of Punjab;(vi)one person representing the Government of [Kerala]; [Substituted by S.R.O. 1986, dated 16th May, 1957](b)[three persons representing Parliament (two for the Lok Sabha and one for the Rajya Sabha) [Substituted by S.R.O. 1986, dated 16th May, 1957](c)thirteen persons representing owners of tea estates and gardens and growers of tea;(d)seven persons representing persons employed on tea estates and gardens:(e)three persons representing dealers including both exporters and internal traders of tea;(f)two persons representing manufacturers, who manufacture and pack tea in containers up to [6 kilograms]; [Published in the Gazette of India, Extraordinary, 1954, Pt. II, Section 3, page 415](g)[two] [Substituted by S.R.O. 1986, dated 16th May, 1957] persons representing consumers;(h)four persons representing other interests.(2)The Central Government may make such consultations as may be necessary before appointing members of the Board.(3)When a member of the Board dies or resigns or is deemed to have resigned or is removed from office or becomes incapable of acting, the Central Government may by notification in the Official Gazette appoint a person to fill the vacancy.

5. Term of Office. - [1) A member of the Board shall hold office for such period not exceeding three years from the date of his appointment as may be specified by the Central Government while notifying his appointment:

Provided that a Member of Parliament appointed to the Board in pursuance of clause (b) of rule 4 shall cease to be a member of the Board if he ceases to be a member of the House from which he was appointed: Provided further that a member appointed to the Board in pursuance of clause (a) of rule 4 by virtue of his office shall cease to be a member when he ceases to hold such office. Provided further that subject to the provisions of the preceding provisions, the term of office of any member holding office immediately before the 1st January, 1958, shall be three years from the date of his appointment.] [Substituted by S.R.O. 1986, dated 16th May, 1957](2)A person appointed to fill a casual vacancy under sub-rule (3) of rule 4 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.

6. Resignation. - (1) A member of the Board may resign his office by writing under his hand addressed to the Chairman.

(2)A member of a Committee may resign his office by writing under his hand addressed to the Secretary.(3)[The office of a member of the Board or the Committee shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.] [Substituted by S.R.O. 1476, dated 20th June, 1956](4)[The power to accept the resignation of a member of the Board or of a member of a Committee shall vest in the Chairman who, on accepting the resignation, shall report that fact to the Board at its next meeting.] [Inserted by G.S.R. 554, dated 24th June, 1958]

7. Removal from the Board. - The Central Government may remove any member from his office :

(a) if he is of unsound mind and stands so declared by a competent court, or(b) if he is an undischarged insolvent, or(c) if he is convicted of a criminal offence involving moral turpitude, or(d) if without leave of the Chairman, he fails to attend more than three successive meetings of the Board.

8. Absence from India. - (1) Before a member of the Board leaves India:

(a)he shall intimate the Secretary the date of his departure from, and the date of his expected return to, India, and(b)if he intends to be absent from India for a longer period than six months, he shall tender his resignation.(2)If a member leaves India without observing the provisions of sub-rule (1), he shall be deemed to have resigned with effect from the date of his departure from India.

9. Vice-Chairman. - [(1) The Board shall, at the last meeting held before the 31st March every year elect, from amongst its own members a person to be the Vice-Chairman who shall hold office from the 1st April of that year up to the 31st March of the following year:

Provided that in any year in which the term of office of all the members expires on the 31st March, the Vice-Chairman shall be elected at the first meeting held after the 31st March.] [Substituted by G.S.R. 713, dated 15th June, 1960](2)In the event of the Vice-Chairman resigning his office as such or ceasing to be a member of the Board, the Board shall forthwith elect a member to be Vice-Chairman for the unexpired portion of the term of office of the Vice-Chairman elected under sub-rule (1).

- 10. Minimum number of meetings of the Board. The Board shall hold a meeting at least once in every quarter.
- 11. Power to call meetings. (1) The Central Government may at any time call a meeting of the Board.
- (2)The Chairman may at any time call a meeting of the Board and shall do so, if a requisition for a meeting is presented to him in writing by at least ten members.
- 12. Appointment of Committees. [(1) The Board shall, at the first meeting held after the 31st March, every three years, appoint the following Standing Committee, namely:-
- (a)an Executive Committee [***](b)two Licensing Committee, one for North India and one for South

India [***] [Omitted by G.S.R. 207, dated 8th February, 1962](c)[an Export Promotion Committee] [Inserted by G.S.R. 452, dated 23rd March, 1961] [and] [Inserted by G.S.R. 207, dated 8th February 1962](d)[a Labour Welfare Committee] [Inserted by G.S.R. 207, dated 8th February, 1962]and each such committee shall function up to the 31st March of the third financial year beginning from the year in which it is appointed.] [Substituted by S.R.O. 153, dated 1st January, 1958](2)The Executive Committee shall consist of :(a)the Chairman who shall be the ex officio Chairman, thereof;(b)the Vice-Chairman; and(c)seven other members to be elected by the members of the Board from among themselves in sud manner as may be laid down by the Board. (3) The Licensing Committee for North India shall consist of :-(i)the Chairman who shall be ex officio Chairman thereof; and(ii)six other members to be elected by the members of the Board from among themselves, in such manner as may be laid down by the Board.(4)The Licensing Committee for South India shall consist of four members to be elected by the members of the Board from among themselves in such manner as may be laid down by the Board. The Committee shall elect a Chairman from among themselves.(4A)[The Export Promotion Committee shall consist of:(i)the Chairman who shall be the ex officio Chairman thereof; and(ii)six other members to be elected by the members of the Board from among themselves, in such manner as may be laid down by the Board.](4B)[The Labour Welfare Committee shall consist of--(i)the Chairman who shall be the ex officio Chairman thereof; and(ii)eight other members to be elected by the members of the Board from among themselves, in such manner as may be laid down by the Board. [(5)[Nothing in this rule shall derogate from the power of the Board to constitute with the previous approval of the Central Government and for such period as may be specified by that Government in each individual case, any other Standing Committee or any ad hoc Committee for any of the purposes mentioned in sub-section (3) of Section 8 of the Act.] [Renumbered, ibid]

- 13. [Functions of Committees. [Substituted by G.S.R. 207, dated 8th February, 1962] The Executive Committee, the Licensing Committee and the Labour Welfare Committee shall discharge such functions and exercise such powers, not being those mentioned in Rule 18 as may be delegated to them by the Board.] [Inserted by G.S.R. 207, dated 8th February, 1962]
- 13A. [Powers of the Export Promotion Committee. [Inserted by G.S.R. 452, dated 23rd March, 1961.] The Promotion Committee shall exercise all the executive and financial powers of the Board in respect of matters relating to Tea Promotion subject to the overall control of the Board.] [Inserted by G.S.R. 452, dated 23rd March, 1961]
- 14. Absence from meetings of a Committee. Any member of a Committee absenting himself from three consecutive meetings without leave of the Chairman shall be deemed to have vacated his seat on the Committee.

- 14A. [Term of Office of Members of Committee who are Members of Board. [Inserted by G.S.R. 749, dated 18th August, 1958] A member of the Board ho is a member of a Committee shall on his ceasing to be member of the Board cease tote a member of the Committee.]
- 15. [Filling of vacancies on Executive and Standing Committees. [Substituted by G.S.R. 518, dated 2.5.1960] Any vacancy on the Executive Committee or a Standing Committee shall be filled by election at the next meeting of the Board or the meeting subsequent thereto, and the person so elected 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 where a vacancy in the office of member of the Executive Committee is caused by reason of the election of a member of that Committee to be Vice-Chairman, any person elected in such vacancy shall hold office only so long as the Vice-Chairman continues in office.]

16. Business by Circulation. - (1) Any business which the Board or Committee is required to transact may, if the chairman of the Board or of the Committee so directs, be referred by circulation of papers to members, and any resolution or proposal 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 resolution or proposal were decided by a majority of votes at a meeting.

Provided that at least ten members of the Board or a majority of the members of the Committee as the case may be, have recorded their views on the resolution or proposal:Provided further that a when a resolution or proposal is referred by circulation of papers, any five members of the Board or three members of the Committee, as the case may be, may require that the resolution or proposal be referred to a meeting and thereupon such reference shall be made to a meeting of the Board or the Committee.(2)When any business is so referred to members by circulation, a period of not less than 14 clear days in the case of the Board and 10 clear days in the case of a Committee 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.(3)If a resolution or proposal is circulated, the result of the circulation shall be communicated to all the members.

17. Record of Business. - (1) A record shall be maintained of all business transacted by the Board or its Committees, and copies of such record shall be submitted to the Central Government:

Provided that the records of business of a routine nature transacted by the Licensing Committees by circulation need not be submitted to the Central Government.(2)The record of business transacted at the meetings of the Board and of the Committees shall be signed by the Chairman presiding over such meetings.(3)When business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman of the Board or the Committee, as the case may be, directing the circulation.

18. Restriction on Delegation of Powers. - (1) The Board shall not delegate any administrative or financial power to any Committee other than the Executive Committee [or the Export Promotion Committee]. [Substituted by G.S.R. 518, dated 2.5.1960]

(2)The Board shall not delegate any of the following powers to the Executive Committee :-(a)the power to sanction expenditure in excess of Rs.20,00 in respect of any one item;(b)the power to adopt the Budget Estimates of the Board on its behalf;(c)the power to sanction expenditure to be incurred outside India in excess of [Rs.10,000] [Substituted by S.R.O. 3630, dated 8th November, 1957] in respect of any one item;(d)the power to re-appropriate estimated savings in excess of Rs. 2,500 in the case of any one item;(e)the power to write off losses in excess of Rs.1,000 in any one case.

19. Appointments. - Save as provided for in Section 9 of the Act, all appointments to posts of officers and employees under the Board shall be made by the Board:

Provided that no appointment to any post of which the maximum salary exceeds Rs.500 per mensem shall be made without the previous sanction of the Central Government.

- 20. Creation and Abolition of Posts. The Board may on its own authority create and abolish posts carrying a maximum salary not exceeding Rs.500 per month and with the previous sanction of the Central Government, other posts.
- 20A. [An advance for building a new house (including purchase of land for the purpose) or for purchase of a ready-built house or for enlarging living accommodation of an existing house owned by an officer of the Board appointed by the Central Government [***] [Inserted by S.R.O. 2495, dated 30th July, 1957] may be granted to such officer at such rates and conditions as may be admissible to officer holding comparable posts under the Central Government in accordance with the rules of the Central Government for the time being in force. The grant of advance is subject to the availability of

funds under the head 'Advances recoverable bearing interest'. The Board, the Executive Committee and the Chairman shall have power to grant advances up to the amounts specified below:

Board-over Rs. 20,000. Executive Committee-up to Rs. 20,000. Chairman-up to Rs. 5,000.

- 21. Allowances and remunerations. Save with the previous sanction of the Central Government no remuneration other than travelling allowance and halting allowance shall be paid to any member of the Board on account of his service as such.
- 22. Export of Tea. Any tea estate or sub-division of a tea estate shall, on application made in this behalf in accordance with the Rule 23 to the Board for allotment of an export quota, have the right to receive an export quota;

Provided that no tea estate or a sub-division of a tea estate, which ceased production for three or more consecutive seasons since the commencement of the Act, shall be eligible to get an export quota in the financial year following such three or more consecutive seasons, unless it has resumed production during the season corresponding to the financial year.

- 23. Application for export quota. (1) Application for export quota for any financial year shall be made in such form, as may be specified by the Board, and shall reach the Board not later than the 1st day of February of the preceding financial year.
- (2)An export quota shall not be granted, without the previous sanction of the Central Government, if the application in respect thereof is not received by the Board on or before the date specified above.
- 24. Crop basis. (1) The crop basis of a tea estate or a sub-division of a tea estate for any financial year shall be the best crop in any of the four calendar years previous to the preceding financial year, due allowance being made for low producing areas [as provided in rule 25A]: [Inserted by S.R.O. 229, dated 19th January, 1955]

Provided that when a tea estate in production has no crop basis under this rule, the assessed crop of the estate for that year may be taken as its crop basis. [Explanation.] [Inserted by S.R.O. 229, dated 19th January, 1955] - In this sub-rule and in rule 25A, the expression "low producing area" means a tea estate or sub-division of a tea estate having an actual crop basis, as determined with reference to the area planted therein with tea on the first day of the financial year immediately preceding the financial year to which any application by the owner of such estate or sub-division under rule 23

relates, of less than [510 kilograms per hectare] [Substituted by G.S.R. 453, dated 25th March, 1961].(2)When the area of a tea estate or a sub-division of a tea estate is reduced or increased by the transfer to or acquisition from another tea estate of land planted with tea, the crop basis of the estate or sub-division of the tea estate shall be reduced or increased by an amount representing as nearly as possible the contribution made by the area transferred or acquired to the crop basis of the estate of which it previously formed a part.(3)Where a tea estate for which a crop basis has been determined becomes two or more separate estates, the crop of each such separate estate shall be determined so as to represent as nearly as possible the contribution made by the area comprised in it to the total crop basis of the original estate.

25. Meaning of Crop. - (1) Crop in the preceding rule shall after the commencement of the Act, be construed as meaning the yield or production of manufactured tea i.e., tea whether black or green produced in the usual manner for sale in the market and as shown in the return in form R.T.3 submitted to the Central Excise authorities under the Central Excise Rules, 1944;

Provided that in the absence of returns in form R.T.3 the Board may determine the crop of a tea estate of sub-division of a tea estate in such manner as it thinks best.(2)Where tea is not manufactured by tea estates concerned or where evidence of the amount manufactured is not available, the production shall be assumed to be by weight, one fourth of the weight of green tea leaf produced.

25A. [Application for allowance for low producing area. [Inserted by S.R.O. 229, dated 19th January, 1955]-(1) An application for making, in the calculation of the crop basis, an allowance on account of the area being a low producing area may be made to the Board along with the application for export quota under rule 23.

(2)No such application shall be granted unless the applicant proves to the satisfaction of the Licensing Committee that, had such allowance been granted in the previous year, the crop of the low producing area to which the application relates would nevertheless have not been less than the amount of the enhanced export quota which would be admissible to it by reason of the grant of the allowance. Provided that the Licensing Committee may reduce the allowance to be granted under this rule by an amount equal to the amount by which the crop of such low producing area appears to be likely to fall below such enhanced export quota in consequence of the grant of the allowance:(3)If such application is granted, the amount specified in column 2 of Schedule I against the entry in column 1 of that Schedule corresponding to such crop basis shall be added to the actual [per hectare] crop basis of the low producing area to which the application relates: Provided that the Licensing Committee may reduce the amount of allowance admissible under this sub-rule by the amount determined under the proviso to sub-rule (2)].

26. Export quota and Crop basis. - Export quota of a tea estate or sub-division of tea estate, that is, the total quantity of tea which may be exported by the owner of the tea estate or sub-division in any financial year shall be an amount bearing to the crop basis of that estate the same proportion as the export allotment in the financial year in question bears to the total of the crop basis of all the tea estates and sub-divisions of tea estates in India for that year and when the export allotment is altered under proviso to Section 19 of the Act, the export quota shall be deemed to be altered accordingly.

Provided that when an export quota of a tea or a sub-division of a tea estate has been reduced in consequence of an alteration or alterations during the financial year of the export allotment, any tea exported by the owner of a tea estate or sub-division of a tea estate in accordance with the export quota, as subsisting for the time being, which is in excess of the amount permitted to be exported in accordance with the export quota as finally revised for the year, shall be excluded from the computation of the total quantity of tea which may be exported by that owner during the financial year.

- 27. Inspectors and Assessors to assist in the determination of Crop basis.The Board may appoint Inspectors or Assessors for the purpose of assisting in the determination of the crop basis, and in the discharge of its other duties. The Board may pay to them such fees as it may decide as well as actual travelling expenses.
- 28. Licence Fees. The Board shall charge and collect a licence fee for every export licence, special export licence, or permit issued by it at the rate of [rupees two and twenty naye paise per metric tone] [Substituted by G.S.R. 453, dated 25th March, 1961] or part thereof:

Provided that the owner of a tea estate or a sub-division of a tea estate to which a quota has been allotted under Section 20 of the Act may make, or the Board may require him to make, a consolidated payment of export licence fees at the rate fixed under the rules to cover the whole of the quota.

29. Copy of Accounts of quota to be furnished to Tea Estates. - A copy of the account of export quotas maintained by the Board under sub-section (1) of Section 23 of the Act shall be furnished, on application, to the owner of a tea estate or sub-division of a tea estate who shall be required to pay a fee of Rs.1 in respect of each copy required.

30. [Planting of Tea. [Substituted by S.R.O. 2791, dated 20th November, 1956] - (1) Any person desirous of planting tea on land not planted with tea shall apply to the Board in writing within such date as may from time to time be notified by the Board in this behalf and shall furnish such survey maps and other particulars as may be required.

(2) Subject to the limitations set out in Section 13 of the Act, the Board may grant or refuse the permission applied for or may grant it in part only or may call for further information from the applicant.][***] [Omitted by G.S.R. 1027, dated 20th November, 1956]

30A. [Grant of permission by the Board.-] [Inserted by S.R.O. 2791, dated 20th November, 1956] (1) The Board may inspect or cause to be inspected any land in respect of which an application for permission to plant tea has been made and the records relating thereto for the purpose of satisfying itself as to the accuracy of any survey map and generally for the purpose of enabling it to dispose of the application.

(2) The Board may grant, in respect of each five-year period subsequent to the 31st day of March, 1955, permission to plant tea on any land not planted with tea in the following manner:(a)[A tea estate whose permissible area at the commencement of each five-year period does not exceed 10 hectares may be granted permission to extend its area upto a maximum of 10 hectares: [Substituted by G.S.R. 1558, dated 15th November, 1962 (b) A tea estate whose permissible area at the commencement of each five-year period exceeds 10 hectares but does not exceed 60 hectares may be granted permission to extend its area equal to the permissible area of the estate at the commencement of the five-year period:(c)A tea estate whose permissible area at the commencement of each five-year period exceeds 60 hectares but does not exceed 200 hectares may be granted permission to extend its area upto a maximum of 60 hectares;(d)A tea estate whose permissible area at the commencement of each five year period exceeds 200 hectares may be granted permission to extend its area by 30 per cent of such permissible area; (e) Notwithstanding anything contained in clauses (a), (b), (c) and (d), a tea estate which has fully utilised any permit or permits granted to it in respect of a particular five-year period may be granted a further permit or permits in respect of the same period for an area to which it is entitled for that period under any of the said clauses;(f)Notwithstanding anything contained in clauses (a), (b), (c) (d) and (e), the area for which permission is granted to a tea estate to extend its area shall not exceed the area for which permission has been applied for by that tea estate. Explanation.-In this rule, "permissible' [area] at the commencement of each five year period" means the area of any land which could have been planted with tea at the commencement of each such period under the law then in force.(3)(a)The Board may also grant permission to a person, not being the owner of a tea estate and not having large interest, directly or otherwise, in the management and ownership of a tea estate to plant on land not planted with tea, provided that the person proves to the satisfaction of the Board that---(i)he owns the land in respect of which permission to plant tea is applied for; (ii) he is able to finance the undertaking, including the erection of a factory where necessary; and(iii)the land is suitable for tea plantation as

regards the nature of the soil and climate conditions.(b) The area of land in respect of which permission may be granted shall not exceed in any one case [60 hectares] [Substituted by G.S.R. 453, dated 25th March, 1961] where the applicant is an individual proprietor or a partnership and [120 hectares] [Substituted by G.S.R. 453, dated 25th March, 1961] where the applicant is a limited liability company.(c)No permission shall be granted where in the opinion of the Board the area in respect of which permission has been applied for is, having regard to the circumstances of the case, too small for an economic planation. Explanation 1.-A company or firm the management or ownership of which is controlled by a person or persons already holding substantial interests in tea plantation shall be regarded as a person having large interest in the management or ownership of a tea estate. Explanation 2.-A capital outlay of [Rs.2500 per hectare] [Substituted by G.S.R. 453, dated 25th MArch, 1961] for plantation and [Rs.125 per hectare] [Substituted by G.S.R. 453, dated 25th MArch, 1961] for factory shall ordinarily be considered as the standard requirement of finance in respect of applications from newcomers for areas exceeding [5 hectares] [Substituted by G.S.R. 453, dated 25th MArch, 1961]: Provided that the applicant is able to show that he is in a position to command the necessary finance, permits shall be issued to the extent up to which finance can be commanded. Applications from 'newcomers' who are genuine agriculturists, for an area not exceeding 10 acres shall, however, be exempted from the condition regarding production of evidence of financial ability. [3A) Subject to the limitations set out in Section 13 of the Act, nothing in sub-rule (2) of clause (b) of sub-rule (3) shall apply to the grant of permits for the purpose of establishment and extension of tea seed baris.] [Substituted by G.S.R. 353, dated 20th March, 1959](4) Every permit to plant tea shall specify the area of land in respect of which it has been granted and shall be in force for such period as may be specified by the Board in the permit: Provided that any permit issued under these rules may be renewed from time to time as the Board thinks fit:[Provided further that notwithstanding anything contained in sub-rule (2) the Board may, if it, thinks fit, cancel any permit issued to tea estate, or any part of such permit remaining unutilised after a period of not less than three years from the date of issue.] [Substituted by G.S.R. 453, dated 25th MArch, 1961](5)No permit granted by the Board shall be transferable: Provided that a permit granted to a tea estate may, with the previous permission of the Board, be transferred to another tea estate if both the estates are held under the same ownership.(6)The owner of a tea estate to which permit is issued shall submit to the Tea Board on the 31st March of each year, a return showing the acreage planted up to that date in pursuance of the permit, the reasons for non-utilisation of any acreage that may not have been planted and the programme for planting tea for the next two years. (7) The Indian Tea Licensing Committee (Tea New Planting Rules, 1951 are hereby repealed but such repeal shall not affect the validity of any permit issued or any action taken under those rules.)

30B. [Establishment and Extension of Tea Seed Baris.-] [Inserted by G.S.R. 353. dated 20th March, 1959]Notwithstanding anything contained in rules 30 and 30A, any person desirous of establishing or extending tea seed baris shall apply separately to the Board in writing and the Board may grant or refuse the permission applied for or may grant it in part only, as it may think fit.

Explanation.-In this rule,"tea seed ban" means an area planted with the plant Camellia Sinoensis (L) O. Kuntze for the sole purpose of growing seeds used for propagating the plant and not used for any other purpose, save with the permission of the Board.

31. [Permission to Plant Tea. [Substituted by S.R.O. 580, dated 2nd March, 1956] - The owner of a tea estate desires of replacing tea areas by planting tea on area not planted with tea, shall apply to the Board in writing and shall submit such particulars as may be required by the Board:

Provided that permission to replace shall not be granted, in respect of each five year period subsequent to the 31st day of March, 1955, for an area exceeding ten per cent, of the total permissible [area] of the tea estates at the commencement of each such period :Provided further that uprooting of tea bushes over the area so replaced shall be completed within a period of [eight] [Substituted by G.S.R. 1293, dated 27th October, 1960] years from the date of permission.]

- 32. Form to be used. The forms set out in [Schedule II] [Substituted by S.R.O. 229, dated 19th January, 1955.] shall be used for the purpose of provisions of the Act referred to in each form. The Board may either generally or in any particular case require such additions as it may consider necessary to be made to any such form.
- 33. Collection of Duty of Customs. The duty of customs levied under Section 25 of the Act shall be collected by the same agencies and in the same manner as specified under the Sea Customs Act, 1878 (8 of 1878) or as the case may be, the Land Customs Act, 1924 (19 of 1924).
- 34. Budget Estimates. (1) The Board shall in each year prepare a budget for the ensuing year and shall submit it for the sanction of the Central Government on or before such date as may be appointed by that Government.
- (2)No expenditure shall be incurred until the budget is sanctioned by the Central Government and the expenditure has received the sanction of the competent authorities.(3)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 by way of grant from the Central Government under Section 26 of the Act and from other sources:(c)the proposed expenditure classified under the following heads or under heads as the Central Government may direct:(i)administration;(ii)measures for promoting the sale and increasing the consumption of tea :(a)in India (b) outside:(iii)research;(iv)statistics;(v)others.(4)The proposed expenditure under each

Establishment.(iii) Allowances, honoraria etc.(iv) Other charges, contingencies etc.(5) Supplementary

head shall be further classified under the following sub-heads:(i)Pay of Officers.(ii)Pay of

estimates of expenditure shall be submitted for the sanction of the Central Government in such form and on such dates as may be directed by them.

35. Accounts of the Board. - (1) The Board shall maintain accounts of all receipts and expenditure relating to each year.

(2)The audited statements of receipts and expenditure together with the auditor's report thereon shall be submitted to the Central Government as soon as possible after the close of the year.(3)An abstract of receipts and expenditure shall be published in the Gazette of India.(4)The accounts of receipts shall be shown under the following heads:-(a)moneys received under Section 26 of the Act;(b)fees realised on account of licences, permits etc. issued;(c)any other moneys received by the Board;(d)interest received from investment of such moneys as aforesaid.(5)The total receipts only shall be shown under each of the heads specified in sub-rule (4) and the opening balance, if any, shall also be stated.(6)Expenditure incurred in the year shall be shown under separate heads and sub-heads.(7)the closing balance of the year shall be shown at the foot of the accounts on the expenditure side:Provided an annual proforma account on accrual basis shall also be prepared for bringing out assets and liabilities as well as the details of reserves and investments.

36. Power to Incur Expenditure. - (1) 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 up to Rs.5,000 in any one case and may delegate to the Executive Committee or to the Chairman, [Secretary or any other Officer of the Board] [Substituted by S.R.O. 1262, dated 17th April, 1954] such financial powers as it may consider expendient.

Provided that, save with the sanction of the Central Government no expenditure shall be incurred which is in excess of the sanctioned budget allotment under any head.(2)Re-appropriations between the heads of expenditure specified in rule 34(3)(c) above, shall not be made save with the previous sanction of the Central Government. Re-appropriations between sub-heads within a head may, however, be made by the Board and subject to clause (d) of rule 18, the Board may delegate its powers in this behalf to the Executive Committee.(3)The Board shall not incur expenditure outside India in excess of Rs.50,000 on any one item without the previous sanction of the Central Government.

37. Borrowing Powers. - The Board may with the previous sanction of the Central Government borrow on the security of the Tea Fund or any other of its assets for meeting its expenses or for any other purposes referred to in Section 10 of the Act;

Provided that no loan shall be taken which is repayable later than six months from the date of the loan.

- 38. Contracts. (1) The Board may enter into contracts provided that every contract which extends over a period of more than three years or involves expenditure in excess of Rs.1,00,000 shall require the previous sanction of the Central Government.
- (2)The Board may delegate to the Executive Committee, Chairman or Secretary such power for entering into contracts on its behalf as it may think fit.(3)Contracts shall not be binding on the Board unless they are executed by the Chairman or Vice-Chairman and by the Secretary with the previous approval of the appropriate authority concerned and the common seal of the Board is affixed thereto.(4)Neither the Chairman nor Secretary nor any member of the Board shall be liable for any assurances or contract 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.
- 39. [Payments from the Tea Funds. [Substituted by S.R.O. 1477, dated 30th June, 1956] (1) All payments made by the Central Government to the Board under Section 26 of the Act out of the proceeds of the cess levied under sub-section (1) of Section 25 of the Act shall be debited to the Major Head '43-Industries and Supplies'.
- (2)Payments by or on behalf of the Board shall be made in cash or be cheque drawn against a current account of the Board.]
- 40. Sending persons abroad. The Board shall not send any officer of the Board or any member of the Board to places outside India without the previous sanction of the Central Government.

[SCHEDULE I] [Substituted by G.S.R. 453, dated 25th March, 1961][See Rule 25A]Allowances for low producing areas

Lowproduction actual crop basis of the estate kgs. per hectareAllowance in Kilogram per hectare.

Not more than	314	54
More than	314 but not more than 317	
Do.	317	Do. 321 54
Do.	321	Do. 322 54
Do.	323	Do. 326 54
Do.	326	Do. 330 54
Do.	330	Do. 333 54
Do.	333	Do. 335 54

Do.	335	Do. 338 54
More than	338 but not more than 342	54
Do.	342	Do. 345 54
Do.	345	Do. 349 54
Do.	349	Do. 351 54
Do.	351	Do. 354 54
Do.	354	Do. 361 54
Do.	361	Do. 363 53
Do.	363	Do. 367 52
Do.	367	Do. 370 50
Do.	370	Do. 370 49
Do.	367	Do. 373 48
Do.	373	Do. 377 47
Do.	379	Do. 381 46
Do.	381	Do. 384 45
Do.	384	Do. 387 44
Do.	387	Do. 391 43
Do.	391	Do. 395 41
Do.	395	Do. 398 40
Do.	398	Do. 401 39
Do.	401	Do. 405 38
Do.	405	Do. 407 37
Do.	407	Do. 410 36
Do.	310	Do. 414 35
Do.	414	Do. 417 34
Do.	417	Do. 419 33
Do.	419	Do. 423 31
Do.	423	Do. 426 30
Do.	326	Do. 429 29
Do.	429	Do. 433 28
Do.	433	Do. 435 27
Do.	435	Do. 438 26
Do.	438	Do. 442 25
Do.	442	Do. 445 24
Do.	445	Do. 447 22
Do.	447	Do. 451 21

Do.	451	Do. 454 20
Do.	454	Do. 457 19
Do.	457	Do. 461 18
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Do.	494	Do. 498 4
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Do.	506	Do. 511 1
II		

(See Rule 32)

FORMNo. 1THETEA	FormNo. 1THETEA ACT,	FormNo. 1THETEA ACT, 1953(SeeSection	FormNo.
ACT, 1953(SeeSection 21)	1953(SeeSection 21)	21)	1953(SeeS
Form No.1	Form No. 1	Form No. 1	Form No.
Available only for	Available only for		Available
shipment between 1st	shipment between 1st	Available only for shipment between 1st	shipment
April, 19 and 31stMarch,	April, 19 and 31stMarch,	April, 19 and 31stMarch, 19.	April, 19 a
19.	19.		19.
Copy to be retained at the	Copy to be retained at the	Copy to be retained at the Estate,	Copy to be
Estate,	Estate,	copy to be retained at the Estate,	Estate,
No.(A)	No.(A)	No.(A)	No.(A)
Date	Date	Date	Date
DIRECT TEA SHIPMENT	DIRECT TEA SHIPMENT	DIRECT TEA SHIPMENT EXPORT	DIRECT T
EXPORT LICENCE	EXPORT LICENCE	LICENCE	EXPORT
Estate	Estate	EstatePost	Estate
RegisteredNo	PostRegisteredNo	.OffiseDistrictPort	R
OfficeDistrictPort	OfficeDistrictPort	ofShipmentShipping	Office
ofShipmentShipping	ofShipmentShipping	AgentsParticulars of Teas produced	ofShipme

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Country of Destination	Country of Destination		-	DestinationQua	-	Country o Destination inWords or Agent(s
FORMNO.1-ATHET ACT, 1953(SeeSection 22),	TEORMNO.1-ATHET ACT, 1953(SeeSection 22),	TEA FORMNO.1 ACT, 1953(S 22),	-ATHETEA SeeSection	FORMNO.1-ATHETEA ACT, 1953(SeeSection 22)	FORM ACT, 10 22)	NO.1-ATHI 953(SeeSec
Special Export Licence coverings Teas unshipped at 31st March19 shipment of which may be effected up to and including 31stMay 19.	Special Export Licence coverings Teas unshipped at 31st March19 shipment of which may be effected up to and including 31stMay 19.	Special Expectoverings Tellowshipped a March19 shi which may be up to and in 31stMay 19.	eas at 31st ipment of oe effected cluding	Special Export Licence coverings Teas unshipped at 31st March19 shipment of which may be effected up to and including 31stMay 19.	covering unship March which	l Export Lid ngs Teas ped at 31st 19 shipmen may be effe nd includin
FORM No.1-A	FORM No.1-A	FORM No.1	-A	FORM No.1-A	FORM	No.1-A
Copy to be retained at the Estate.	Copy to be retained at the Estate.	Copy to be r the Estate.	etained at	Copy to be retained at the Estate.	Copy to	o be retaine ate.
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	A ACT, 1953(SeeSection			A ACT, 1953(SeeSections	
17 & 21)			17 & 21)		17 & 21)
Form No. 2			Form No. 2		Form No. 2
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For and on behalf or	f the Tea Board.		For and on behalf o	f the Tea Board.	For and on behal
_	Date	556, of	dated 19th March, 1 ofLicensing.]Count DestinationsI/v	we certify that the teas a under this Licence me/us withExport	dated 19th Marcl ofLicensing.]Cou Destinations exportedout of In were purchased I Rights.Exporter.
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17 & 21)			17 & 21)		17 & 21)
Form No. 2A	T		Form No. 2A	T ' NT	Form No. 2A
Serial No	Licence No		Serial No	Licence No	Serial No

Special Export Licence covering teas purchase in sale orprivately carrying erights, unshipped at 31st March 19shi of which may be effected up to and inc 31st May19.	pment	purchase in rights, uns	n sale orpriva hipped at 31s ay be effected	t March 19shipment	rights, unshippe
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Rights.		Rights.			Rights.
For and on behalf of the Tea Board.		For and on	behalf of the	e Tea Board.	For and on beha
[Controller of				[Controller of	
Licensing [Subs by S.R.O. 656 , dated	19th	Licensing [Subs by S.R.	O. 656, dated 19th	Licensing [Subs
March, 1955]Joint Controller of			55]Joint Cont		March, 1955]Joi
Licensing.]Country of		0 -	-	DestinationsI/we	0 -
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applicationDate Licence				purchased by me/us	
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NumberandDate		ofShipmen			ofShipment
FORM NO.3THE TEA ACT, 1953[See	Section	ıs 17, 21 & 2	41]Export Of	Tea By Post	
1	2		3		
iised Description Weight	Net we in kilog	ight of tea grams	_	t of postel article in k e inkilograms (Col.1 a	_
This license for the export of tea by po Act, 1953, to coverkgs. net of tea BOARDDated19.Signed Licensing.] [Substituted by S.R.O. 656 Postal Export License Valid Between 1 export of tea by post issued to	as per b, dated est Apri	column (2) [Con 19th March l And 31st M	above.For an troller of Lice 1, 1955]FORM MayLicense N	d on behalfof TEA ensing Joint Controllo I NO. 3-ATEA BOAR	er of DSpecial
1		2		3	
Description and weight of packing use Description Weight inkilograms	ed	Net weight	t of tea in	Gross weight of post in kilograms (Col.1 a toCol.2)	
This license for the export of tea by po 1953, to coverkgs. net of tea as po 19.Signed	er colui .[Contr i March	mn (2) abov oller of Lice 1, 1955][FOl	re.For and on ensing Joint C RM NO. 4]TH	behalfof TEA BOARI Controller of Licensin IE TEA ACT, 1953[Se	DDated g.]

The Tea Rules, 1954

P.ODistrict
Dated
195.Controller of LicensingThe Joint Controller of Licensing.Tea
BoardDear Sir,Transfer Of Export Quota Rights.I/We have to advice having SOLD to the
words)kilogramskgs.) of export quota rights.Please register
this transfer. Yours faithfully, In the case of an Agent signingon behalf of a proprietor
evidence of his authority tosign must be produced.NOTE:- This transfer form in the case of
Companies incorporated in Great Britain or Tea Estates owned by Proprietors not resident in India
should be signed by their Secretaries or Agents or Managing Agents in India, in the case of
Companies incorporated in India by the Secretaries or Agents or Managing Agents and Proprietors,
or by one Proprietor if he be sole owner who should append the words "Sole Proprietor" after his
signature, or by their or his duly authorised AgentInitialLedger A/c debited
Ledger ClerkPosting checked by
Transfer passed.(Availability of quota and correctness of signature
checked)Advice of registration of transfer. The above transfer has been
registered in this office on
Controller of Licensing.Tea Board.DateAddress of transfer or his
authorised agent to which the advice is to be forwarded (to be completed by the transferor).
][FORM NO. 4-A]ORIGINAL (FOR OFFICE)BOUGHTRegd. No
P.O
District
any)Controller of
Licensing The Joint Controller of Licensing.Tea BoardDated19Dear
Sir, Transfer Of Export Quota Rights. I/We have to advice having BROUGHT from the Tea
Estate Regd. No(Quantity in words) kilogramskgs.) of export
quota rights.Please register this transfer.Yours faithfully,In the case of an Agent signingon
behalf of a proprietorevidence of his authority tosign must be produced.NOTE:- This
transfer form in the case of Companies incorporated in Great Britain or Tea Estates owned by
Proprietors not resident in India should be signed by their Secretaries es or Agents or Managing
Agents in India, in the case of Companies incorporated in India by the Secretaries or Agents or
Managing Agents and Proprietors, or by one Proprietor if he be sole owner who should append the
words "Sole Proprietor" after his signature, or by their or his duly authorised Agents.Ledger A/c
Credited (initial)Ledger A/c Checked (initial)
in this office on
of Licensing.Tea Board.Date19Address of transfer or his
authorised agent to which the advice is to be forwarded (to be completed by the
transferor)1[FORM NO. 4B]THE TEA ACT, 1953[See Section
21(2)]SOLDForm No.4B(For the use of Non-producer
only)From,
Controller of LicensingThe Joint Controller of Licensing,Tea Board.Dear Sir,Transfer of Export
Quota Rights.I/We have to advise having sold toTea Estate Regd No(Quantity in
words) kilograms(kgs.).of export quota rights.Please register the transfer.Yours

The Tea Rules, 1904						
faithfully,DateInitialLedger A/c. debited						
Advice of registration of						
transferThe above transfer has been registered in this office onCalcuttaCochinController of						
Licensing Joint Controller of Licensing, Tea Board. Date						
which the advice is to be forward						
ACT, 1953[See Section 21(2)]BRO	OUGHT(For the use of Non-produ	cer				
only)From,						
Controller of LicensingThe Joint	Controller of Licensing, Tea Board	d.Dear Sir,Transfer of Export				
Quota Rights.I/We have to advise	e having brought fromTea I	Estate Regd No(Quantity in				
words) kilograms(.kgs.).of export quota rights.Pleas	e register the transfer.Yours				
faithfully,DateInitialLed	ger A/c. debited	Ledger A/c. checked				
Adv	vice of registration of transferThe a	above transfer has been				
9	CalcuttaCochinController of Licen	9				
Licensing,Tea Board.Date	Address to	which the advice is to be				
forwarded (to be completed by the	ne					
transferor)						
NO. 5THE TEA ACT, 1953[See Se	ections 17 & 18]					
FormNo-5	FormNo-5	FormNo-5				
Available only for	Available only for	Available only for				
shipment/despatch between 1st	shipment/despatch between 1st	shipment/despatch between 1st				
April 19 and31st March 19	April 19 and 31st March 19	April 19 and 31st March 19				
TRIPLICATE to be retained by	TRIPLICATE to be retained by	TRIPLICATE to be retained by				
•	the TeaBoard.AddressDate	the				
		TeaBoard.AddressDate				
		•••••				
Messrs of the above	Messrs of the above	Messrs of the above				
address,are exporting	address,are exporting	address, are exporting				
from to viaa total nett	from to viaa total nett	from to viaa total nett				
quantityof Kgs. of tea,	quantityof Kgs. of tea,	quantityof Kgs. of tea,				
details of which are give	details of which are give	details of which are give				
below.Messrsguarantee	below.Messrsguarantee	below.Messrsguarantee				
that neither they themselves,	that neither they themselves,	that neither they themselves,				
nor anyagent acting for them or	nor anyagent acting for them or	nor anyagent acting for them or				
on their behalf, nor the	on their behalf, nor the	on their behalf, nor the				
consignees ortheir agents or any	consignees ortheir agents or any	consignees ortheir agents or any				
agent acting for them or on their	agent acting for them or on their	agent acting for them or on their				
behalf, will re-export e :her the	behalf, will re-export e :her the	behalf, will re-export e :her the				
whole or any part of this tea,	whole or any part of this tea,	whole or any part of this tea,				
Whetherin original packages,	Whetherin original packages,	Whetherin original packages,				
repacked in chests or bags or	repacked in chests or bags or	repacked in chests or bags or				
re-marked orblended or packed,	re-marked orblended or packed,	re-marked orblended or packed,				
nor in any other form	nor in any other form	nor in any other form				

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whatsoever either fromnor from any other port.FULL DETAILS TO BE GIVEN.Serial No	whatsoever either fromnor from any other port.FULL DETAILS TO BE GIVEN.Serial No	whatsoever either fromnor from any other port.FULL DETAILS TO BE GIVEN.Serial No			
Broker, Sale No., Lot No., No. packagers of each grade,Estate of Mark or Blended Tea, Grade of Tea, Nett of of weight inKgs. per package	packagers of each grade,Estate packagers of each grade, f Mark or Blended Tea, Grade Estateof Mark or Blended Tea, f Tea, Nett of of weight inKgs. Grade of Tea, Nett of of weight				
Total	Total	Total			
Quantity in	Quantity in	Quantity in			
words	words	words			
FORM NO.6THE TEA ACT, 1953[See Section 17]Permit For The Export Of Tea SeedIn pursuance of					
sub-section (2) of Section 17 of the Tea Act, 1953 this permit is issued on behalf of the Central					
Government tofor the export of tea seed in respect of the consignment described below:					
Name oftea garden from which tea see is exported	Name Description of	Net weightin of tea seed exported in kilograms Method ofexport			
On behalf of the Central GovernmentDateSignature					
30th July, 1957][Substituted by S.R.O. 2494, dated 30th July, 1957][Substituted by S.R.O. 2494, dated 30th July, 1957]					