

टी बोर्ड ★ भारत

(भारत सरकार के अधीन, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग)

14, बी. टी. एम. सरणी (ब्रेबोर्न रोड), कोलकाता - 700 001, पो. बा. सं. 2172,

तार टीबोर्ड दूरभाष : 033-2235-1331, फैक्स : 033-2221 5715

वेबसाइट : www.teaboard.gov.in

TEA BOARD ★ INDIA

(Under Govt. of India, Ministry of Commerce & Industry, Deptt. of Commerce)

14, B.T.M. Sarani (Brabourne Road), Kolkata - 700 001, P.O. Box No. 2172,

Gram Teebord Tel. : 033-2235-1331, Fax : 033-2221 5715

Website : www.teaboard.gov.in



Dated: 07.01.2022

PUBLIC NOTICE

In order to have control over tea industry pursuant to International Tea agreements, Union of India enacted Tea Act, 1953. After more than 68 years, some of the existing provisions of the Tea Act, 1953 have become redundant by efflux of time for which it has been proposed to bring a new Act in place of the present Act under which Tea Board will act as a facilitator for the benefit of the tea industry. The new proposal has been uploaded in the websites of the of Tea Board (<http://www.teaboard.gov.in>).

2. The proposed Act, inter-alia, proposes to delete those archaic provisions which have become irrelevant in today's context and introduce new objectives/functions/powers of the Board so that the Board can act as facilitator for optimizing the development, promotion and research in tea industry and help in improving production, export and quality of Indian Tea.

3. Now, it has been proposed to invite views/comments/suggestions from individuals/organizations who are interested in this regard.

4. Those desirous of submitting views/comments/suggestions may send their written comments/views/suggestions to the Secretary, Tea Board, 14, B. T.M.Sarani,Kolkata-700001,Email-secytboard@gmail.com or pramodakumardash@gmail.com, within 21st January, 2022.

Sd/-
Secretary (I/C)



यदि आप अपना पत्र हिन्दी में लिखेंगे तो उतनी ही जल्दी जवाब मिलेगा, जितना कि अंग्रेजी में लिखने से मिलता है।

चाय पियो मस्त जियो ! Chai piyo mast jiyo !

TEA(PROMOTION AND DEVELOPMENT)BILL, 2022

A BILL

to promote and develop the Indian tea industry, enable the functioning of a modern Tea Promotion and Development Board and for matters connected therewith or incidental thereto

BE it enacted by Parliament in the Seventy-Third Year of the Republic of India as follows:-

Short title, extent, and commencement	<p>1. (1) This Act may be called the Tea (Promotion and Development) Act, 2022.</p> <p>(2) It shall extend to the whole of India.</p> <p>(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.</p>
Definitions	<p>2. In this Act, unless the context otherwise requires:-</p> <p>(a) "advisories" means non-binding standards and guidance issued by the Board for promotion and development of the tea industry;</p> <p>(b) "auction organiser" means any person under whose control or auspices public auctions of tea takes place;</p> <p>(c) "Board" means the Tea Board established under section 12 of this Act;</p> <p>(d) "blender" means any person engaged in the business of mixing of teas of various grades or origin;</p> <p>(e) "broken mixed fibre" tea sweepings, tea fluff, tea fibre or tea stalks or any article purporting to be tea which does not conform to the specification for tea laid down by Tea Board from time to time.;</p> <p>(f) "broker" means any person engaged in the business of brokering in tea through any auction organiser.</p> <p>(g) "Chairperson" means the Chairperson of the Board appointed under clause (a) of sub-section (1) of section 13 of this Act;</p> <p>(h) "Chief Executive Officer" means the Chief Executive Officer of the Board appointed under sub-clause (i) of clause (d) of sub-section (1) of section 13 of this Act;</p> <p>(i) "Chief Financial Officer" means the Chief Financial Officer of the Board appointed under sub-clause (ii) of clause (d) of sub-section (1) of section 13 of this Act;</p> <p>(j) "dealer of broken mixed fibre" means any person engaged in the business of sale or purchase of broken mixed fibre;</p> <p>(k) "Director of Tea Development" means the Director of Tea Development of the Board appointed under sub-clause (iii) of clause (d) of sub-section (1) of section 13 of this Act;</p>

- (l) "estate" means any area administered as one unit which contains land planted with tea plants and includes interspersed and ancillary land maintained for the purposes of the plantation, factory, office, hospitals, dispensaries, schools, buildings, hydro projects, dairy farms, fisheries, roads, any land earmarked for extension and other agri-crops and tea tourism in such land not suitable for plantation of tea;
- (m) "executive officers" means the executive members appointed under clause (d) of sub-section 1 of section 13 and sub section (1) of section 19;
- (n) "export" means taking out of India by sea, land or air;
- (o) "exporter" means any person engaged in the business of export of tea;
- (p) "Fund" means Tea Promotion and Development Fund as referred to in section 21 of this Act;
- (q) "grower" means the owner of an estate, and includes any agent of such owner, and mortgagee, lessee or any other person in actual possession of such estate;
- (r) "import" means bringing into India by sea, land or air;
- (s) "importer" means any person engaged in the business of import of tea;
- (t) "India" means the territory of India;
- (u) "large grower" means a grower the size of whose estate exceeds 10 hectares.
- (v) "manufacturer" means any person engaged in the business of processing tea leaf to tea;
- (w) "member" means a member of the Board appointed under section 13 of this Act and includes the Chairperson, Chief Executive Officer, Chief Financial Officer and Director of Tea Development;
- (x) "origin tea" means and includes any tea which may be notified by the Board as an origin tea for individual development and promotion;
- (y) "packer" means any person engaged in the business of putting tea inside any container or packet for the purpose of bulk/retail sale under a brand name following the labeling regulations as prescribed by the Food Safety Standard Authority of India from time to time.
- (z) "prescribed" means prescribed by rules made under this Act;
- (aa) "primary buyer" means any person who is engaged in the business of buying of tea from the auction platform, or from the manufacturer for exporting, domestic sale or selling to any subsequent buyer;
- (bb) "secondary buyer" engaged in the business of buying of tea from the primary buyer for exporting and domestic sale in packets excluding buying tea for own consumption and not for any resale purpose;
- (cc) "specified" means specified by regulations made by the Board under this Act;
- (ab) "small grower" means a grower the size of whose estate does not exceed 10 hectares;
- (ac) "stakeholders" means auction organisers, blenders, brokers, exporters, importers, primary buyers, secondary buyers, packers, dealers of broken mixed fiber and growers;
- (ad) "tea" means the plant *Camellia Sinensis* (L) O. Kuntze as well as all varieties of the product known commercially made from the tea leaves of this plant *Camellia Sinensis* (L) O. Kuntze and conforming to the specifications as prescribed by Tea Board from time to time.;

	<p>(ad) "tea industry" means the industry engaged in the production, manufacture, export, supply, trade and commerce of tea;</p> <p>(af) "tea leaf" means the leaf of the plant <i>Camellia Sinensis</i> (L) O. Kuntze and includes tender stems and buds of the plant <i>Camellia Sinensis</i> (L) O. Kuntze</p>
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<p>CHAPTER II</p> <p>PROMOTION AND DEVELOPMENT</p>
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<p>PART I</p> <p>PROMOTION SCHEMES AND QUALITY ENHANCEMENT</p>
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Objectives	<p>3. The Central Government and the Board as the case may be, while exercising its powers, discharging its functions, or undertaking any other activity under this Act shall be guided by the following objectivesnamely:-</p> <p>(a) Optimising the production, sale and consumption of tea, which may include:-</p> <ul style="list-style-type: none"> (i) promoting the export of tea; (ii) promoting the sale and consumption of tea, including through e-commerce platforms; (iii) promoting the quality of tea cultivation and tea which is consumed, in India and exported from India; (iv) promoting branding, product diversification, value addition, packaging and furthering the interests of stakeholders involved in the tea industry; (v) promoting the sustainable cultivation of tea for increasing production and productivity; (vi) providing support and encouragement to small growers, including in using and implementing new technology; (vii) encouraging fair and remunerative prices for growers; (viii) safeguarding the interests of tea plantation workers; and (ix) increasing awareness among the general public about the tea industry in India. <p>(b) Promoting economic, scientific and technical research into the tea industry, which may include:-</p> <ul style="list-style-type: none"> (i) collecting, analysing, and disseminating economic, scientific and technical data, information, statistics, and studies related to the tea industry in India; (ii) encouraging the adoption of best available technologiesand minimizing adverse impact of climate change; (iii) promoting an understanding of plant ecology, physiology, and pathology among growers; and (iv) aligning the practices in the tea industry in India with global best practices.
Measures, activities, promotion schemes etc. by the Board	<p>4. In order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 20,the Board shall undertake take such measures and such activities as it may deem fit including promotion, , development, and incentive schemes, seminars, workshops, research activities, and other similar programmes.</p>
Issuance of directions and advisories by the Board	<p>5. In order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 20 the Board may issue directions or advisories to stakeholders, and such persons in the tea industry, or any class thereof, as it may deem fit:</p> <p>Provided that every direction issued shall be complied with by any person engaged in the tea</p>

	industry to whom such direction has been issued.
Principle of Proportionality	<p>6. (1) Where the Board specifies any regulations under section 31 or issues directions under section 5, it shall ensure that such regulations or directions are accessible, reasonable, and proportionate to the objectives enlisted under section 3.</p> <p><i>Explanation.</i>-Nothing in this sub-section shall apply to any action taken by the Board in furtherance of a direction issued by the Central Government under section 28.</p> <p>(2) No measures or activities undertaken under section 4, or directions and advisories issued under section 5, or regulations specified under section 31 shall be called into question in any court only on the ground that such measures or activities, or directions or advisories, or regulations, as the case may be, are not in accordance with this section or section 3.</p>
<p>PART II</p> <p>COMPLIANCES</p>	
Registration	<p>7. (1) Every stakeholder including the respective associations shall be liable to obtain a certificate of registration issued by the Board in such form, subject to such conditions and payment of such fee, and with effect from such date as may be specified:</p> <p style="padding-left: 40px;">Provided that the Central Government may by notification in the Official Gazette exempt such person or class of persons as may be specified.</p> <p>(2) The certificate of registration shall be issued, or rejected after due verification in such manner and within such period as may be specified.</p> <p>(3) The certificate of registration shall be deemed to have been issued after the expiry of the period specified under sub-section (2), if no deficiency has been communicated to applicant within that period.</p> <p>(4) A certificate of registration issued, or deemed to have been issued under this section shall remain valid for a period of:</p> <p style="padding-left: 40px;">(a) 15 years, or (b) such period higher than 15 years as may be specified by the Board from the date on which it was issued, or deemed to be issued as the case may be except when the certificate is cancelled or suspended pursuant to an inspection under section 9.</p>
Submission of returns	<p>8. Every person liable to be registered under section 7 shall submit to the Board such returns at such times, in such form, and containing such particulars, as may be specified.</p> <p style="padding-left: 40px;">Provided that the Central Government may by notification in the Official Gazette exempt such person or class of persons as may be specified.</p>
Inspection and Penalties	<p>9. (1) Where the Chief Executive Officer has reason to believe that any person:-</p> <p style="padding-left: 40px;">(a) has contravened any direction issued to such person under section 5; (b) liable to be registered under section 7 has failed to obtain registration or has obtained registration through fraud or misrepresentation; (c) liable to submit returns under section 8 has failed to submit returns, or has submitted false returns; (d) has contravened any other provision of the Act,</p> <p>the Chief Executive Officer may authorise an executive officer of the Board by an order in writing in such manner and subject to such conditions as may be specified, to conduct an inspection.</p>

	<p>(2) In the course of such inspection, such executive officer may, subject to such conditions and in such manner as may be specified:</p> <ul style="list-style-type: none"> (a) enter any place or premises where any activities related to the tea industry are undertaken; (b) require the production of any books, registers, records or other articles or papers kept therein; and (c) ask for any information relating to the sale or purchase of tea. <p>(3) Upon completion of the inspection, such executive officer shall submit to the Chief Executive Officer a report containing:-</p> <ul style="list-style-type: none"> (a) recommendations on whether there is a contravention of the provisions of this Act; and (b) in cases where there is found to be a contravention of the provisions of this Act recommendations on the:- <ul style="list-style-type: none"> (i) imposition of a penalty under sub-section (4) if such executive officer deems fit; (ii) suspension or cancellation of registration under section 7 if such executive officer deems fit; (c) such other particulars as may be specified. <p>(4) Upon receipt of the report referred to in sub-section (3), after considering the recommendations provided therein, the Chief Executive Officer shall pass an order as may be deemed fit in such form, manner, and subject to such conditions as may be specified:-</p> <ul style="list-style-type: none"> (a) closing the matter forthwith; (b) imposing a civil penalty which may extend to Ten Thousand rupees; (c) suspending or cancelling of registration under section 7: or (d) both (b) and (c). <p>Provided that the amount of any penalty imposed under this section, if not paid, may be recovered as if it were an arrear of land revenue.</p> <p>Provided further that no order of suspension or cancellation of registration shall be passed under this sub-section unless the person concerned has been given a reasonable opportunity of being heard in respect of the grounds of such suspension or cancellation.</p>
Executive Officers to be public servant	10. All executive officer, when acting or purporting to act in pursuance while of section 9 shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).
Appeal	<p>11. (1) Any person aggrieved by an order of the Chief Executive Officer passed under the provisions of sub-section (4) of section 9 may, within such period of the passing of the order, prefer an appeal to the Central Government, on payment of such fee, in such form and manner, and subject to such other conditions as may be prescribed.</p> <p>(2) The Central Government may confirm, modify or reverse the order appealed against.</p> <p>(3) Subject only to such decision of the Central Government, the order of the Board shall be final and shall not be called in question in any court.</p> <p>(4) Before disposing of an appeal under sub-section (2), the parties shall be given a reasonable opportunity of being heard.</p>

CHAPTER III TEA BOARD	
Establishment and Incorporation of the Board	<p>12. (1) Notwithstanding anything contained in section 35 the body corporate by the name of "Tea Board" constituted and incorporated respectively under sub-section (1) and sub-section (2) of section 4 of the Tea Act, 1953 (Act No. 29 of 1953), shall be the Tea Board for the purposes of this Act.</p> <p>(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.</p>
Composition of the Board	<p>13. (1) The Board shall consist of the following members not exceeding 20:-</p> <p>(a) a Chairperson to be appointed by the Central Government;</p> <p>(b) Two Members of Parliament of whom [•] shall be nominated by the House of the People and one by the Council of States;</p> <p>(c) Ten members to be appointed by the Central Government from among persons who are in its opinion capable of representing the interests of the following, having regard to their experience in the tea industry:-</p> <p>(i) Governments of the States where tea is grown;</p> <p>(ii) stakeholders;</p> <p>(iv) interest of labour</p> <p>(vii) such institutes or authorities specializing in research in the tea industry, agriculture, foreign trade, packaging, food safety and advertising; and</p> <p>(viii) such other interests as in the opinion of the Central Government, ought to be represented on the Board;</p> <p>(d) the following full-time executive members to be appointed by the Central Government by separate notification in the Official Gazette:-</p> <p>(i) a Chief Executive Officer, who shall be Member-Secretary of the Board;</p> <p>(ii) a Chief Financial Officer;</p> <p>(iii) a Director of Tea Development; and</p> <p>(iii) One member as may be necessary to exercise such powers and to perform such duties under the direction of the Board as may be prescribed; and</p> <p>(e) Two members to be nominated by the Central Government from such Ministries of the Central Government as it may deem fit.</p> <p>(2) The manner of filling vacancies among the members of the Board shall be such as may be prescribed.</p>
Qualifications for appointment	<p>14. The Chairperson and members of the Board shall be persons of ability and integrity having experience and knowledge of at least 15 years in matters relating to the tea industry, governance, law, development, economics, finance, management, public affairs or administration.</p> <p>Exception: The prescribed qualification shall not be applicable for member of Parliament, representatives of tea growing states and officers appointed under clause (d) and (e).</p>
Term of office & other conditions of	<p>15. (1) The term of office of, salaries, remuneration or other allowance payable to, and the other terms and conditions of service of, the Chairperson and other members of the Board as may</p>

service of Chairperson and other members	<p>be prescribed.</p> <p>(2) The office of member of the Board shall not disqualify its holder for being chosen as or for being a member of either House of Parliament.</p> <p>(3) Any officer of the Central Government when deputed by that Government to the Board shall have the right to attend meetings of the Board and take part in the proceedings thereof but shall not be entitled to vote.</p>
Chairperson	<p>16. (1) The Chairperson shall preside over the meetings of the Board, and without prejudice to any provision of this Act, exercise and discharge such other powers and functions of the Board as may be prescribed.</p> <p>(2) In the absence of a Chairperson in a meeting, the Board may elect any member who is present to preside over such meeting.</p>
Chief Executive Officer	<p>17. (1) There shall be a Chief Executive Officer of the Board who shall have administrative control over the officers and other employees of the Board and shall exercise such other powers and perform such duties as may be prescribed.</p> <p>(2) Notwithstanding anything contained in this section, the Board may delegate to the Chief Executive Officer, subject to such conditions and in such manner, as may be prescribed, such of its powers and functions under this Act as it may deem necessary.</p>
Vacancies, etc., not to invalidate proceedings of Board	<p>18. No act or proceeding of the Board shall be invalid merely by reason of—</p> <p>(a) any vacancy in, or any defect in the constitution of, the Board;</p> <p>(b) any defect in the appointment of a person as Chairperson or member of the Board; or</p> <p>(c) any irregularity in the procedure of the Board not affecting the merits of the case.</p>
Committees, officers, and staff	<p>19. (1) The Board may constitute such advisory or executive committees, appoint such, officers and employ such staff as it deems necessary for the efficient discharge of its functions under this Act.</p> <p>(2) The method of recruitment and terms and conditions of service of any officers and any staff employed, as the case may be, shall be such as may be specified.</p>
General powers & functions of the Board	<p>20. (1) The Board shall be responsible for promotion and development of the Indian tea industry.</p> <p>(2) Without prejudice to the generality of sub-section (1), the powers and functions of the Board shall include:-</p> <p>(a) taking such steps as it deems necessary in order to achieve its objectives enlisted under sections 3 of this Act;</p> <p>(b) monitoring including export, import and price of both tea and tea leaf and propagating data and other information regarding the demand for and marketability of tea in India and in the foreign market;</p> <p>(c) supplying scientific and technical advice aimed at improving the production, manufacture, supply, and distribution of tea;</p> <p>(d) undertaking, assisting or encouraging scientific, technological and economic research;</p> <p>(e) collecting statistics from such stakeholders in the tea industry;</p> <p>(f) planning and implementation of human resource training and skill development in line with the needs of tea industry;</p> <p>(g) taking steps either by itself or through accredited agencies to maintain quality standards</p>

	<p>for tea produced in India;</p> <p>(h) collaborating and cooperating with national and international scientific and economic bodies dealing with plantation crops for the benefit of the tea industry;</p> <p>(i) collaborating and cooperating with departments of the Central or State governments on all matters relating to the promotion and development of tea industry;</p> <p>(j) protecting the intellectual property rights of origin tea in India and abroad;</p> <p>(k) subscribing to the share capital of or entering into any arrangement or other arrangements (whether by way of partnership, joint venture or any other manner) with any other body corporate for the purpose of promoting the development of tea industry or for promotion and marketing of tea in India or elsewhere;</p> <p>(l) advising the Central Government on all matters relating to the promotion and development of the tea industry, including but not limited to the import and export of tea;</p> <p>(m) advising the Central Government with regard to participation in any International Conference or scheme relating to the tea industry;</p> <p>(n) providing advisory services on matters including but not limited to research, testing and training to such other class of persons upon the payment of such fee or other charges as may be specified; and</p> <p>(o) any other actions in the interest of tea industry.</p>
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<p>CHAPTER IV</p> <p>FINANCE, ACCOUNTS & AUDIT</p>	
<p>Tea Promotion and Development Fund</p>	<p>21. (1) The Board shall maintain a Fund to be called the Tea Promotion and Development Fund.</p> <p>(2) The following shall be credited to the Tea Promotion and Development Fund:-</p> <p>(a) all sums transferred to, or vested in the Board;</p> <p>(b) any grants and loans made to the Board by the Central Government;</p> <p>(c) all fees levied and collected in respect of certificates of registration issued and any other fees or charges collected under this Act or the rules and regulations made thereunder;</p> <p>(d) all sums received by the Board from such other sources as may be decided upon by the Central Government; and</p> <p>(e) all assets transferred from the erstwhile Fund under the Tea Act, 1953 (Act No. 29 of 1953).</p> <p>(3) The fund shall be applied to:-</p> <p>(a) meet the salary, Pension, pensionary benefits, remuneration, and other allowances of the members, officers, and staff of the Board as applicable;</p> <p>(b) meet the expenses relating to such measures as the Board may undertake under this Act from time to time in order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 20;</p> <p>(c) meet the other administrative expenses of the Board and any other expenses authorised by or under this Act;</p> <p>(d) repay loans; and</p> <p>(e) settle any liabilities arising out of legal proceedings.</p>
<p>Power to borrow</p>	<p>22. The Board may, from time to time, with the previous sanction of the Central Government and under such conditions as may be prescribed, borrow any sum required for any of the purposes for which it is authorized to expend under this Act, from:-</p> <p>(a) any bank or other financial institution by taking loan; or</p> <p>(b) the public by issue of bonds or debentures or any such instrument in the form and manner</p>

	approved by the Central Government.
Budget	23. The Board shall prepare in such form and manner, at such time, and such intervals, as may be prescribed, its budget, showing the estimated receipts and expenditure of the Board and forward the same to the Central Government.
Accounts & Audit	24. The accounts of the Board shall be maintained and audited in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed and the Board shall furnish to the Central Government before such date, as may be prescribed, its audited copy of accounts together with the auditors' report thereon.
Annual Report	25. (1) The Board shall prepare, in such form and manner and at such time each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the Central Government. (2) The annual report prepared under sub-section (1) shall contain:- (a) a description of all the activities of the Board for the previous year; (b) the plan of the Board for the upcoming year; and (c) any such other details as may be provided under any law for the time being in force.
Auditor's report and annual report to be laid before Parliament	26. The Central Government shall cause the auditor's report under section 24 and annual report under section 25 to be laid, as soon as may be after they are received, before each House of Parliament.

CHAPTER V

MISCELLANEOUS

Power of the Central Government to supersede the Board	27. (1) If at any time the Central Government is of the opinion: – (a) that on account of grave emergency, the Board is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or (b) that the Board has persistently made default in complying with any direction issued by the Central Government under this Act, in achieving the objectives enlisted in section 3, or in exercising its general powers and functions under section 20, and as a result of such default the financial position of the Board or the administration of the Board has deteriorated; or (c) that circumstances exist which render it necessary in the public interest so to do, the Central Government may, by notification in the Official Gazette, supersede the Board for such period, not exceeding six months, as may be specified in the notification. (2) Upon the publication of a notification under sub-section (1) superseding the Board: – (a) all the members shall, as from the date of supersession, vacate their offices as such; (b) the general powers and functions which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Board, shall until the Board is reconstituted under sub-section (3), be exercised and discharged by such person or persons as the Central Government may direct; and (c) all property owned or controlled by the Board shall, until the Board is reconstituted under sub-section (3), vest in the Central Government. (3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may reconstitute the Board by a fresh appointment and in such case any person or persons who vacated their offices under clause (a) of sub-section
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	<p>(2) , shall not be deemed disqualified for appointment:</p> <p>Provided that the Central Government may, at any time, before the expiration of the period of supersession, take action under this sub-section.</p> <p>(1) The Central Government may by notification in the Official Gazette, direct that the Board shall be dissolved from such date and for such period as may be specified in the notification.</p> <p>(2) When the Board is dissolved under the provisions of sub-section (1)-</p> <ol style="list-style-type: none"> a) All members shall, from the date of dissolution, vacate their offices as such members; b) All powers and duties of the Board shall, during the period of dissolution be exercised and performed by such person or persons as the Central Government may appoint in this behalf; c) All funds and other property vested in the Board shall during the period of dissolution, vest in the Central Government; and d) As soon as the period of dissolution expires, the Board shall be reconstituted, in accordance with the provisions of this Act. <p>(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.</p>
Power of Central Government to issue directions	<p>28. (1) Without prejudice to the foregoing provisions of this Act, the Board, in discharge of its general powers and functions under this Act, shall be bound by such directions as the Central Government may give in writing to it from time to time:</p> <p>Provided that the Board shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.</p> <p>(2) The decision of the Central Government whether a question is one of policy or not shall be final.</p>
Power to Delegate	<p>29. The Central Government may be notification in the Official Gazette, direct that any power exercisable and functions performed by it under this Act maybe exercised and performed in such cases and subject to such conditions, if any, as may be specified in the notification by such officer or authority as may be specified therein.</p>
Protection of action taken in good faith	<p>30. No suit, prosecution or other legal proceedings shall lie against the Central Government, the Board, or any officer, member, or employee thereof for anything which is done or intended to be done in good faith under this Act or the rules or regulations made, or standards notified thereunder.</p>
Power to make rules	<p>31. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —</p> <ol style="list-style-type: none"> (a) the form and the manner of, and the conditions to be met and fee to be paid for, prefer an appeal to the Central Government under sub-section (1) of section 11; (b) the powers and duties of members appointed under clause (e) of sub-section (1) of section 13; (c) the manner of filling of vacancies among the members of the Board sub-section (2) of section 13; (d) 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 any meeting;

	<ul style="list-style-type: none"> (e) the holding of a minimum number of meetings of the Board every year; (f) the term of office of, salaries, remuneration, or other allowances payable to, and the other terms and conditions of service of, the Chairperson and other members of the Board under sub-section (1) section 15; (g) the other powers and functions of the Board which shall be discharged by the Chairperson under sub-section (1) of section 16; (h) the other powers and duties of the Chief Executive Officer under sub-section (1) of section 17; (i) the conditions to be met for borrowing any sum under section 22; (j) the form and the manner of, the time at which and the intervals for the preparation of a Budget under section 23; (k) the form and the manner in which the accounts of the Board shall be audited and the date before which the audited copy of the accounts may be furnished to the Central Government under section 24; (l) the form and the manner and the time at which the annual report shall be prepared under section 25; and (m) any other matter which is to be, or may be, prescribed or in respect of which provision is to be, or may be, made by rules.
Power to make regulations	<p>32. (1) Subject to the provisions of section 3, and with the approval of the Central Government, the Board may by notification in the Official Gazette make such regulations consistent with this Act and any rules made thereunder to carry out its functions under this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters namely:</p> <ul style="list-style-type: none"> (a) the form and the manner of, the conditions to be met and fee to be paid for, and the date of effect of certificate of, registration under sub-section (1) of section 7; (b) the manner of verification of an application to obtain certificate of registration and the period within which such certificate shall be issued or rejected under sub-section (2) of section 7; (c) the period of validity of a certificate of registration under sub-section (4) of section 7; (d) the form and the manner of, the particulars to be contained and the times at which returns shall be submitted under section 8; (e) the conditions subject to which the Chief Executive Officer may authorise an executive officer of the Board to conduct an inspection by an order in writing under sub-section (1) of section 9; (f) conditions subject to and manner in which inspection is to be conducted under sub-section (2) of section 9; (g) the particulars to be contained in the report to be submitted by an executive officer upon completion of investigation under sub-section (3) of section 9; (h) the form, manner, and conditions subject to which the Board shall pass an order under sub-section (4) of section 9; (i) the method of recruitment and terms and conditions of service of any officers appointed, and any staff employed under sub-section (2) of section 19; (j) the method of collecting statistics from such stakeholders in the tea industry (k) the fee or other charges for providing advisory services under clause (n) of sub-section (2) of section 20; and (l) any other matter which is to be, or may be, specified or in respect of which provision is to be, or may be, made by regulations.
Rules & Regulations to be laid before Parliament	<p>33. Every rule and every regulation made under this Act 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 regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall</p>

	<p>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 or regulation.</p>
Power to remove difficulties	<p>34. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:</p> <p>Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.</p> <p>(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.</p>
Transitional provisions	<p>35. (1) Notwithstanding anything contained in section 35, on and from the date of commencement of this Act:—</p> <p>(a) any reference to the Tea Board in any contract or other instrument shall be deemed to be a reference to the Board;</p> <p>(b) all property, movable and immovable, of or belonging to the Tea Board shall be deemed to be that of the Board;</p> <p>(c) all rights and liabilities of the Tea Board shall be deemed to be that of the Board;</p> <p>(d) all suits and other legal proceedings instituted by or against the Tea Board, immediately before the commencement of this Act, shall be deemed to have been instituted by or against the Board; and</p> <p>(e) the existing committees, officers, and staff of the Tea Board shall be deemed to be committees, officers and staff, constituted, appointed, or employed as the case may be under section 19.</p> <p><i>Explanation.</i>- For the purpose of this sub-section, the expression “Tea Board” shall mean the body corporate by the name of “Tea Board” constituted and incorporated respectively under sub-section (1) and sub-section (2) of section 4 of the Tea Act, 1953 (Act No. 29 of 1953).</p> <p>(2) On and from the date of commencement of this Act, any person liable to be registered under section 7 who has a valid registration or license by whatever name called, under the Tea Act, 1953 (Act No. 29 of 1953), shall be deemed to be registered under section 7 of this Act, and shall be deemed to remain so registered till the registration or license as the case may be, remains valid under the Tea Act, 1953 (Act No. 29 of 1953)</p>
Repeal & Savings	<p>36. (1) The Tea Act, 1953 (Act No. 29 of 1953) is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the said Act shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.</p> <p>(3) The mention of particular matters in sub-section (2) shall not be held to be prejudiced or affect the general application of section 6 of the General Clauses Act, 1897 (Act 10 of 1897) with regard to the effect of repeal.</p>
Declaration as to expediency of Union control	<p>37. It is hereby declared that it is expedient in the public interest that the Union should take under its control the tea industry.</p>