

CARDAMOM(LICENSING AND MARKETING) RULES, 1987

12 THE GAZETTE OF INDIA : EXTRAORDINARY (r«rqQ *ur) 1987 [PART I—SEC. 3 (i) 1986 (1983 fir 10) 1977 gg, t, 198' (m) it, 1986 (1986 10) szrfiå (w) "vfä" q*qii (2) üNT«, "tg•r 'W' vivr t, q•tvr t, 1001-%. 30 fäg vri QT zro Xq qq fü• t, ffü B. fmtrqt [t. 712 (qü-s)l 11—•• 3(i)] (m-rÄ (il) (iii) Irg (iv) 13 14 (vii) I 19 THE GAZETTE OF INDIA 1987 EXTRAORDINARY 19 . 19 . 19 [PART 11—SEC g 19. 19 19. 19... (1) *Mmf a(ii) (1) AM, rrq, (2) 500 350 100 50 2(5) •r .-fq fäg (10) 21 f' (11) 1987 •r t THE GAZETTE OF INDIA : EXTRAORDINARY [PARI 3(i)] x•rfH5R t qtq 1 (4) "q" fka (s) «r«rx, E, qr xr.& : M, grfü« (B) 14 Nfg «-,1 1987 I 17. 3 7 (yeq« 4 8 'fb«q • 'Tar 2 6 1675 (31187—3 10 11 18 4. 5, 6, 7. 9. 11. 12. •r HE GME'ITE OF INDIA : EXTRAORDINARY (s) itrzl (t. m.) vri. (8) (•.fr.l qi) (req [PART LI—SEC. 3 (i) 2 3 3 6 (X. ur.) 4 4 6 5 2 [qpr 11--07 3(i)] 2. 3. fir ••:rTM 19 f--sr«ä 2. 3. f«r.i mar .) 20 THE GAZETTE OF INDIA , (CARDAMOM CONTROL) • EXTRAORDINARY [PART 11—SLC. 3 (i) (The Cardamom (Licensing and Marketino RuJeg. 1987 NOTIFICATION G.S.R. exerci•e of the powers conferred by •ection 38 01 the Spices Board Act, 1986, (IO ot 1986) and in supasession of the Gurdamom (Licensmg and Merketing) Rules, 1977, the Central Government hereby makes lhe fol- lowing rules, namely 1. (l) Short title and commencement —nese rules be called the Cardamon (Licensing and Marketing) Rules, 1987. (2) They Shull come into force on lhe date of their cation in the OMciel Gazztte

2. Definitions.—In theso rules. unte» the context wise reqtrire8 (H) 'Ace rncen. the Spica Board Act, 1986; publi- other- (b) 'auctioneer' mean' a person engaged in the business of conducting cardamom auction' i (c) 'Dealer' means a person engaged in the buslnec of purchasing end selling of w Llamom but does not include any auctioneer or exporter ; (d) •Form' means a form appended to these rules ; (e) •Person' means iadividLldl and inchrdes company. arm, society and any other association or body of individuals. whether incorporated or not

3. Conditions to carry on business in cardamom.—(1) No person shall carry op busineu as auctioneer or dealer Of cardamom except undet and in accordance with the term' and conditions of a licence i•sued under these rules and such other instructions may be issued, flom time to öme, by lhe Board for tLE development ot the cardamom (2) No producer ot cardamom shall sell hl' produ# Olfwr- wise than through Licensed auctJoueer or to a dealer liens• ed to purchase cardamom trom producen : Provided thBt the Board may, if ir i' gatitßed thne to emure remnuerative returns to Bowers, it Is necessary t" route elt cardamom through .t.rtion', produceo to their produce to tho licensed uealen through auctions •tone

4. Livensing of persons to carry on badaeM of carda.Any person de•irling to earry on busines. auctioner or dealer in any year may apply in Form A to the Board for a licence Provided that eparate applieatloqs shall bg neceenry where a penon deslres to be licensed In mom than one capacity : Provided further that 8e*rate licence Rha.ll be for an auctioneer in respect of each centrg it to canducL auctions in more thna one centre. (2) Every appilcaüon shall be nccompunled by a tee ot Ra. 100 by R crossed demand draft or postal order drawn payable to the Spices Board at Cochin. (3) The Board mny, it it ie satisfied to the •uitabiliEy of the applicant, iAsue a licence to him In Form B. S. Renewal of Any l*rson desiring to raew his licence as auctioneer or dealer may submit his applica- tion to the Board accompanied by the fee'. and 'n the manner specified in sub-rule (2) ot rule 4 in Form A so to reach the Board on or before the 30th June of the year Ln which the licence expires : Provided that the Board may eqtert*in an application the renewal OE licene up to lhe date of expiry ot the licence on payment ot an additional fee of R'. 25 for the delay of every month or part thereof

6. Validity of licensee—The licence shall normally be for e pedod OE three year : Provided that the Board may issue a licence for u •horter perhd for reason' to be recorded in writing

7. Suspension or cancellation of if lhe Board is satisfied that a licensee has violated any ot the corditbns ot the licence or any provj'ion of the Act or rules made thereunder or in general or directions used by the Board an nuthorised officer of ihe Board or that eny par- son to whom licence has been isqu.ed under these rule• obtained such licence by fraud or misrepresentation. it may, without prejudice to any action which may be taken under any other law. after giving a reasonable to such licensee of being heard and for reasons to be record. ed in Writing, suspend or cancel snch licence by an order in writing. (2) A copy of the order mado under gub-rule (l) shall be to tho 8, Any person aggrieved

by an order of the Board refusing to issue or renew a licence or suspending or revoking a licence may, within 60 days from the date of making of such order, appeal to the Central Government. (2) On receipt of the appeal under rule 14 the Central Government shall after giving a reasonable opportunity to the appellant of being heard, vary such order as it may deem fit.



9. Returns to be submitted by licensees.—Every licensee shall, from time to time, maintain and submit such registers and returns as may be required under the conditions on which the licence is issued. Form N. 1/2186-EP (Agriculture, D. P. B. Annex, n. s. e. y. (b) (c) (b) FORM-A 4(1) and 5(1)] Application for issue/renewal of licence as auctioneer/dealer Name of the Applicant (In Block Letters) (Individual Firm/Company/Society/Association)

Fresh or renewal. If renewal, give previous year's licence No. Details of fee remitted Address in full (Addresses of principal office and branches, if any, should be given) Telex, Telephone, if any (3) Address in full of the place of storage. (4) Nature of business (Auctioneer/dealer) (5) Full name and permanent address of the proprietor/proprietors/partners/directors of the Firm/Company/Society/ Association. (6) Capital invested/financial standing. (7) Years during which the applicant was in possession of Board's licence. (8) The following information to be given (as applicable in each case) AUCTIONEER (i) (ii) (iii) (iv) (v) (vi) (vii) Place of auction Day/time and frequency of auction Financial accommodation, if any, given to growers and successful bidders in auction. Storage facilities/location of Godown Location of Auction Hall Facilities, for grading of cardamom, if any Quantity and value of cardamom auctioned during the preceding three licensing years. (September–August) 21 Quantity (Kgs.) (Year) (September–August) 19 . 19.... 19 19 . 19 . 19 . DEALER (i) Source of purchase of cardamom (from planter or at auctions) (ii) Storage facilities (iii) Is cardamom fumigated against infestation during storage (iv) Maximum quantity purchased and sold in any one transaction during the last year 22 THE GAZETTE OF INDIA :

EXTRAORDINARY (v) Quantity and value of cardamom purchased and sold during the last three Licensing Years Year (Sept.-August) [PART 11—SEC. 5 Sales Value Purchase Qty (kgs.) Declaration Value (kgs.) 19.... 19.... 19.... 19....] We declare that the information given above are true to the best of my/our knowledge and belief and that I/we shall abide by the Cardamom (Licensing and Marketing) Rules, 1987 and any instruction given by the Board from time to time regarding the conduct of business. Place :

Date: Signature of the Applicant or Applicants Note:—(1) Separate application shall be made by a person for each category of business as auctioneer or dealer. (2) Application not accompanied with the prescribed fee will not be entertained. FORM-B (See Rule 4 (3) K. LICENCE AS AUCTIONEER (Not Transferable)

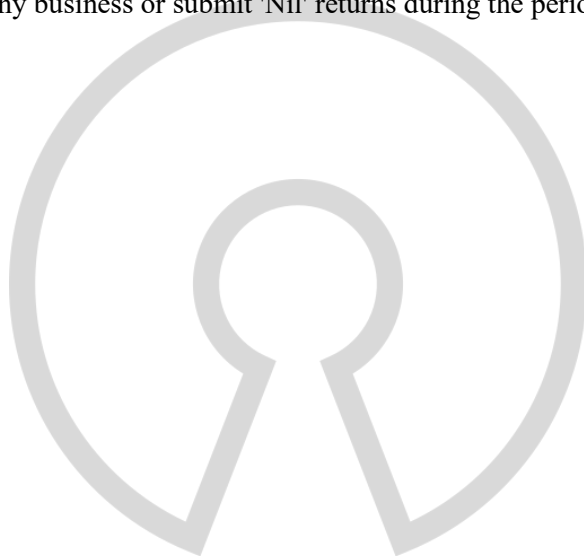
Licence No. Smt./Shri/Messrs. is/are hereby authorised to carry on business in cardamom as auctioneer at..... subject to the conditions specified hereunder. The licence is valid upto the 31st day of August

19.. Place : Date: SEAL Conditions : Signature of the Secretary The auctioneer shall conduct the auction at a place on a day and time specified by the Board. (1) The auctioneer shall draw 500 grammes out of each lot of cardamom offered for sale as sample and expose 350 grammes out of it for bidders to examine the same at the place of auction four hours before the commencement of the auction and circulate a list indicating the quantity of each lot, weight in grammes per litre and the reserve price. A copy of the list shall be sent to the Board. 100 grammes of the sample shall be given to the highest bidder and the balance of 50 grammes shall be kept by the auctioneer in a sealed polythene bag for a period of seven days for verification in case of any dispute. On expiry of the said period or on settlement of the dispute, as the case may be, the owner, of the cardamom shall be entitled to receive back the cardamom remaining from the sample drawn by the auctioneer. 23. (2) (a) The auctioneer shall not charge more than one per cent of the sale price as commission for the services rendered by him. (b) The auctioneer shall not take or accept for himself or on behalf of the purchaser any discount or payment in cash or in kind from owners who bring their cardamom for auction over and above the one per cent commission due to him. The auctioneer shall ensure that the owner gets his value for the entire quantity of cardamom sold in the auction. (3) The auctioneer shall maintain a register in Form 'C'. (4) The auctioneer shall send to the Board an extract of the register maintained in

Form C within seven days from the date of auction. (5) The auctioneer will send an advance report of the auction on the next day of auction in Form D. (6) The auctioneer shall not negotiate sale of cardamom with an estate owner who has not registered his estate or dealer who is not licensed by the Board. (7) Where an auctioneer transfers his business to another person, the transferee shall obtain a fresh licence under the Cardamom (Licensing and Marketing) Rules, 1987. (8) Where a licensee dies, the original licence shall be deemed to have been terminated and if more persons than one claim to be heirs of the deceased, the heir or each of the heirs shall apply to the Board for the issue of a fresh licence for the same. (9) Every licensee shall produce, on demand for inspection by any officer of the Board authorised in this behalf by the Chairman, all accounts, registers and other records kept by him in connection with his business as an auctioneer. (10) Auctioneer shall in respect of each auction recover payment due from bidders within 14 days from date of auction and shall pay the growers within 21 days from date of auction. The information regarding dues to growers and from traders shall be furnished to the Board in respect of each auction. (11) The auctioneers may keep any unclaimed amount by the growers in a separate account in the Bank and details intimated to the Board in respect of each auction. Non-payment of dues to growers within the stipulated period without satisfactory reasons is violation of the Cardamom (Licensing and Marketing) Rules, 1987



11. LICENCE AS DEALER (Not Transferable) Licence No.Shri/Smt./Messers . is/are hereby authorised to purchase cardamom in auction/purchase cardamom directly from producer sub- ject to the conditions specified This licence is valid upto the 31st day of August 19..... Place: . Date: . Conditions: Signature of the Secretary (1) The dealer shall not purchase cardamom from an estate owner who has not registered his estate from an auctioneer who has not been licensed by the Board. THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. 3 (i) No dealer shall solicit or accept any amount in cash or kind from cardamom producers or auc- tioneers, whether by way of discount or commission. A dealer participating in an auction shall pay full value for the entire quantity of cardamom in the lot purchased by him. (3) Every dealer shall maintain a register in form E. (4) Every dealer shall send a monthly return in Form F so as to reach the Board on or before the 10th day of the succeeding month. (5) Where the dealer transfers his business to another person the transferee shall obtain a fresh licence. (6) Where a licensee dies, the original license shall be deemed to have been terminated and if more persons than one claim to be heirs of the deceased the heirs or each of the heirs shall apply to the Board for the issue of a fresh licence for the same. (7) Every dealer shall produce on demand for inspection by any officer of the Board authorised in this behalf by the Chairman, an accounts, registers and other records kept by him in connection with his business as cardamom dealer. (8) The dealer shall pay the auctioneers the value of the cardamom purchased in respect of an auction within 14 days time from the date of auction, Non payment of the purchase value within the stipulated period is violation of Cardamom (Licensing and Marketing) Rules, 1987. (9) The licence will not be renewed for succeeding period. of three years if the dealer fails to transact any business or submit 'Nil' returns during the period of holding a valid licence.



FORM C (See condition (4) of Form B-I) Auction Report [Separate report should be furnished for auctioning of Cardamom received from (i) Planter (2) Dealer] Spices Board Sl. Name Full No. address of Planter/ Dealer Licence No. Season: Auction No. Date of Auction Qty. put Qty. Estate Reg. No. for auction sold Spices (kgs.) Maximum Price : Rs. Minimum Price : Rs. Average Price : Rs. Rate per Kg. 6 Value (Rs.) 7 Com- mis. Sion (Rs.) 8 Name & full address of bidder 9 Spices Remark Board Licence No. 3 4 5 Board. Lic. ence No. 10 1 2. 3. 4. 5. 2 11 VWe confirm that no discount or commission other than the 1 % commission permitted to me/Jus by the Rules has been accepted by me/us or received from the owners of cardamom sold in the auction nor have I/We passed on any cardamom or commission to the purchasers.

Signature or the Auctioneer made : FORM-D (See Condition (5) of Form B-I) ADVANCE AUCTION

REPORT Name and Address of the Auctioneer Spices Board's Licence Number: . Season: 2. Auction

Number: Date of Auction : 3. Quantity carried over from previous Auction (Kgs.) 4

5. Fresh Arrivals (Kgs.): 6, Total quantity put for Auction (Kgs.) (Total of Sl. No. 4 & 5) Total quantity sold (Kg.): 7. Quantity withdrawn (Kg.) : 8. Quantity returned to Planters (Kg.) 9. Balance with the Auctioneer (Kgs.) Sl. No. Total value of the sales (Rs.) 11. Maximum Price (Rs./Kg.) 12. Minimum Price (Rs./Kg.) 13

14. Average Price (Rs./Kg.) of the Auctioneer Place: Date: 1673 GI/864 THE GAZETTE OF INDIA : EXTRAORDINARY FORM E (See Form B 11) (Form of the Register to be maintained by Licensed Dealer) [PART 11—SBC. 30] Name and Address of the Dealer : Licence No. Date of Purchase Registration No. of the Estate] Licence No. of Auctioneer Month : PURCHASES Name and address of the person from whom purchase is made 2 Quantity (Kgs.) 5 Category of the person from whom purchase is made (Viz. Planter/ Auctioneer) 3 Value 6 EXPORTS' 4 Date of Sale 1 Quantity 4 INTERNAL SALES Value 5 Name and Address of the person to whom cardamom is sold whom cardamom is sold Exporters/Consumers, others) 2 Quantity (Kgs.) 6 3 FOB Value 7 •Applicable only to dealers who are having certificate of registration as exporter. 27 FORM-F [See Condition (4) of Form B-II] (Monthly statement to be sent to the Board by Licensed Dealer) Name and address of the Dealer : Spices Board'8 Licence No. PURCHASES Month : INTERNAL SALES Purchases from Quantity (Kgs.) Quantity (Kg.) Value (Rs.) Value (Rs.) EXPORTS* F.O.B. Quantity (Kgs.) Exporters 2. Consumers 3. Others Total sold To value (Rs.) 2. 3. I. 2. 3. 4

5. Planters Auctioneer Others Total Carry over stock from last month (Kgs.) Total quantity of purchase during the month Total quantity of internal sales during the month (Kgs.) Total quantity of exports during the month (Kgs.) Closing stock at the end of the month (Kgs.) Applicable only to dealers who are having Certificate of Registration as exporter I/ We confirm that I/we have not accepted any commission or discount from any producer of Cardamom directly or through the auctioneer. Signature of the Dealer Place t Date' BY THE MANSAGER, Govr. OF INDIA PRESS. RING ROAD, NEW Dum-1 100" AND PUBLISHED BY OR N.L.Ø1-t10054. 1987