

RUBBER RULES, 1955

No. D'

221. The Gazette Of No.2271 EXTRAORDINARY PART A—section 3 PUBLISHED BY AUTHORITY NEW DELHI, MONDAY, AUGUST 1, 1955 MINISTRY OF COMMERCE & INDUSTRY NOTIFICATIONS New Delhi, the 1st August 1955 S.R.O. 1860.—In pursuance of the 'Explanation' to Item (5) in the second Schedule of the Indian Tariff Act, 1934 (XXXII of 1934) the Central Government hereby axes price of tea for the purpose of the said Item as Rs. 2/9/9 per lb. ROBB't CONTROL New Delhi, the 18th August 1956 S.R.O. 168L—In of the powers conferred by sub-section (2) of section of the Rubber (Production and Marketing) Amendmmt Act. 1954 (54 of 1954) the Central Government hereby appoints the 1st day of August. 1955 as the date on which the said act shall come into force. (No. 20 (2)Plant/55.] S.R.O. 1682.—In exercise of the powers conferred by section 25 of the Rubber Act, 1947 (XXIV of 1947), and in supersession of the Rubber (Production and Marketing) Rules, 1947, the Central Government hereby makes the following rules. namely: — CHAPTER 1 PRELIMINARY 1. Short title.—These rules may be called the Rubber Rules. 1955

2. Definitions.—In these rules. unless the context otherwise requires,— (i) "the Act" means the Rubber Act. 1947 (XXIV of 1947), (ii) "Board" means the Rubber Board constituted under sub-section (1) of section 4. (iii) "Chairman" means the Chairman of the Board appointed under clause (o) of sub-section (3) of section 4, (iv) "Commissioner" means the Rubber Production Commissioner appointed under sub-section (1) of section 6A, (v) "Committee" means any committee appointed by the Board under sub-section (1) of section 7, means a form set forth in the First Schedule to these rules, (vi) "large grower" means an owner who is not a "small grower". (vii) "member" means a member of the Board, (viii) "Secretary" means the Secretary to the Board appointed under sub-section (2) of section 4A, (ix) "section" means a Section of the Act, (xi) "small grower" means an owner whose estate does not exceed in area. (N) "Vice-Chairman" means the Vice-Chairman of the Board under sub-section (3) of section 4, and (xiii) "year" the year commencing on the first day of April. (1613 14 CHAPTER II BOARD AND ITS CONSTITUTION 8. Constitution Of the Board and manner of filling vacancies. (1) The Board shall consist of the Chairman and twenty four members representing the different interests and authorities specified in (b) to (f) of sub-section (3) of section 4. (2) Of the three members to represent the State of Madras, one shall be nominated by the Government of Madras, the other shall represent the large growers and the third the small growers. The person representing the large growers shall be elected from among the large growers of the State of Madras in accordance with the rules set forth in the Second Schedule to the Act. The person representing the small growers shall be nominated by the Central Government after making such consultation as it thinks fit. (3) Of the seven members to represent the State of Travancore-Cochin, two persons shall be nominated by the Government of Travancore-Cochin to that State, one of whom shall be the Director of Agriculture of the State. three persons shall represent the large growers in the State of Travancore-Cochin and two persons the small growers. The persons representing the large growers shall be elected from among the large growers of the Travancore-Cochin State in accordance with the rules set forth in the Second Schedule. The persons representing the small growers shall be nominated by the Central Government after making such consultation as it thinks fit. (4) Of the ten persons to be nominated by the Central Government, Government may make such consultation as it thinks fit before nominating the representatives concerned as members of the Board

4. Term of office.(1) Save as hereinafter provided, a member shall hold office for three years from the date of publication of the notification in the official Gazette notifying nomination and shall be eligible for renomination or re-election. as the case may be. (2) A member elected or nominated to fill a casual vacancy. or a member nominated by the Central Government on failure of any authority or body mentioned in sub-section (3) of section 4 to make a nomination, shall hold office as long as the member whose place he fills would be entitled to hold office if the vacancy had not occurred or the nomination had not been made, as the case may be

6. Resignation. A member of the Board or of a Committee may resign his office by a letter addressed to the Secretary, but the resignation shall not take effect until by the Chairman of the Board or of the Committee. 88 the case may be

8. Removal from the Board. The Central Government may remove any member from his (a) if he becomes bankrupt or suspends payment or compounds with his creditors, or (b) if he is convicted of any offence which is punishable under the Indian Penal Code (Act XLV of 1860), and under the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), non-bailable (c) if he is found and stands declared by a competent court, or (d) if he absents himself from two consecutive meetings of the Board without the leave of the Chairman, and in any case from three consecutive meetings, or (e) if he defaults in payment of money due to the Board. and also— THE GAZETTE OF INDIA EXTRAORDINARY 7. Absence from India. (1) Before a member of the Board departs from India— (a) he shall intimate to 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 departs from India without complying with the provisions of sub-rule (1), he shall be deemed to have resigned with effect from the date of departure from India

8. Vice-Chairman. (1) The Board shall, in each year, elect out of its own number, a person to be the Vice-Chairman for a period of twelve months commencing from the date of election. (2) In the event of the Vice-Chairman resigning his office or ceasing to be a member of the Board, the Board shall at its next meeting elect another person to be the Vice-Chairman for the unexpired portion of the term of office of Vice-Chairman elected under sub-rule (1)

CHAPTER 111 PROCEDURE OF MEETINGS OF BOARD AND COMMITTEES 9. Meetings of the Board. There shall be not less than two ordinary meetings of the Board in any one year on such dates and at such place as the Chairman may think fit. The interval between any two ordinary meetings shall not, in any case, be longer than eight months. 10. Quorum. No business shall be transacted at a meeting of the Board unless there are present at least eight members of the Board and no business shall be transacted at a meeting of a Committee, unless there are present a majority of members constituting the Committee

11. Power to call meetings. (1) The Chairman of the Board or the Committee may at any time call a meeting of the Board or the Committee, as the case may be, and shall do so if a requisition for that purpose is presented to him by at least eight members in the case of a meeting of the Board and half the total number of members in the case of a meeting of a Committee. (2) At least fourteen clear days before any meeting of the Board and at least ten clear days before in the case of a meeting of a Committee, notice of time and place of the intended meeting, signed by the Secretary, shall be sent to the Government of India in the Ministry of Commerce and Industry and left at or posted to (the addresses of every member of the Board or the Committee: Provided that in case of urgency, a special meeting may be summoned at any time by the Chairman who shall inform in advance the Government of India in the Ministry of Commerce and Industry and the members of the subject matter for discussion and the reasons for which he considers it urgent. No ordinary business shall be transacted at such special meetings. (3) The Chairman may require any member of the Board or invite any persons to attend any meeting of the Board or the Committee but they shall not have the power to vote. 12, Presiding over meetings. The Chairman of the Board shall preside over every meeting of the Board at which he is present and in his absence, the Vice-Chairman shall preside, but when both the Chairman and the Vice-Chairman are absent from any meeting, the members shall elect one of their own number to preside at that meeting. 1616 THE GAZETTE OF INDIA EXTRAORDINARY 13. Business by circulation. (1) Any business which is to be transacted by the Board or the Committee may, if the Chairman of the Board or of the Committee so directs, be referred to members by circulation of papers and any resolution or proposal so circulated shall be approved by the majority of members, who have recorded their views writing shall be as effectual and as if such resolution or proposal were decided by a majority of members at a meeting; Provided that at least eight 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 when a resolution or proposal is referred to members 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 members at a meeting and thereupon such reference shall be made to members at a meeting of the Board or the

Committee. as the case may be. (2) When any business is 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 shall be reckoned from the date on which the 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

14. Voting. (1) Except as provided in rule 13, every question brought before any meeting of the Board or its Committee, shall be decided by a majority of the members present and voting at the meeting before which the matter is brought. No member shall vote by proxy. (2) In the case of an equality of votes, the Chairman or the member presiding shall have a second or casting vote

15. Appointment of Committees. (1) There shall be an Executive Committee consisting of:— (a) the Chairman who shall be the ex-officio Chairman thereof; (b) the Vice-Chairman; (c) the Rubber Production Commissioner; and (d) two other members to be elected by the members of the Board among themselves in such manner as may be laid down by the Board. (2) Nothing in this rule shall derogate from the power of the Board to constitute, for such period as may be specified in each individual case, any other Standing Committee or any ad hoc committee for any of purposes mentioned in section 8 or section 8A. The Chairman of the Board shall be the ex-officio Chairman of all committees constituted under this rule. (3) Travelling and other allowances to members of the Board and its Committee— a member of the Board other than a Government servant, shall be entitled to draw in respect of any journey performed for the purpose of attending a meeting of the Board or of a Committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, travelling allowance and daily allowance in accordance with the rules and orders issued by the Central Government from time to time and at the highest ratesmissible Government servant of grade I

17. The Central Government may, for reasons to be recorded in writing, review any decision of the Board or its Committee and pass such order in the matter as it thinks fit. (2) A copy of every order passed under sub-rule (1) shall be sent to the Board or the Committee, as the case may be, by the Central Government. (3) On receipt of a copy of the order as aforesaid, the Board or the Committee, as the case may be, may make a representation to the Central Government against the said order and the Central Government may after considering the said representation, either cancel, modify or confirm the order passed by it under sub-rule (1) or take such other action in respect of the matter as may appear to the Central Government, to be just or expedient, having regard to all the circumstances of the case. **G.A.ZETTE OF INDIA EXTRAORDINARY CHAPTER IV BOARD AND ITS ESTABLISHMENT 18. Salaries and allowance.**—All expenditure on account of the salaries, allowances, pension, leave and other contributions, if any, of the Chairman and other officers appointed by the Government under the Act shall be met from the funds of the Board

19. Board's establishment.—(1) The Board shall, from time to time sanction such establishment as is not covered by section 6A and may, subject to the approval of the Central Government, lay down the methods of recruitment, the conditions of service, the pay and allowances of all such officers and servants to be employed by it; Provided that no post, the maximum salary of which exceeds rupees five hundred per mensem shall be created or appointments made thereto without the previous sanction of the Central Government; Provided further, that in case of exigencies, temporary posts which would need to be created in the interests of the Board and the maximum salary of which posts does not exceed Rs. 500 per mensem, may be created and appointments against them be made by the Chairman

20. Filling of posts by direct recruitment. All vacancies in the ranks of officers to be filled by direct recruitment shall be advertised and all vacancies in other ranks shall be notified to the Regional Employment Exchanges concerned. Unless the Chairman, for valid reasons to be recorded, decides otherwise. (ii) A statement of all applications received from candidates and of all recommendations made by the Employment Exchange shall be placed before the authorities competent to make appointments under these rules. (iii) In respect of vacancies in posts of Class I & V, appointments shall be made by the Chief Officer of the Department from the statement of applicants placed before him. The Chief Officer may delegate, with the approval of Chairman, to any other officer of the Department such of his powers under this rule as he may deem fit. (iv) In respect of all vacancies in Class III posts, appointments shall be made by the Chairman from the statement of applicants placed before him and he may delegate to the

Commissioner such of his powers under this rule as he may deem (v) In respect of posts other than those mentioned in section 6A, and post* the maximum salary of which exceeds Rs. 500/- per mensem, appointments shall be made by the Chairman from the statement of applicants placed before him in consultation with the Executive Committee

21. Fitting of posts by If a vacancy in respect of posts of Class IV Staff in the Board's establishment is to be filled up by promotion, the cases of all the candidates for promotion shall be examined by the Commissioner and appointments shall be made by him. (2) If any vacancy in respect of Class I & II posts in the Board's establishment is to be filled up by promotion, the case of all the candidates for promotion shall be examined by the Chairman and appointment thereto shall be made by him. (3) If a permanent vacancy in respect of sanctioned posts of officers in the Board's establishment the maximum salary of which does not exceed Rs. 500 per mensem is to be filled up by promotion, the case of all the candidates eligible for promotion shall be examined by the Chairman and appointment thereto shall be made by him. (4) If a permanent vacancy in respect of sanctioned posts of officers in the Board's establishment not covered by section 6A or the maximum salary of which exceeds Rs. 500/- is to be filled by promotion, the case of all the candidates eligible for promotion shall be examined by the Board and appointment thereto shall be made by it subject to the approval of the Central Government

22. Filling of temporary vacancies in sanctioned posts.—Temporary vacancies in respect of sanctioned posts which are not covered by section 6A shall be filled by the Chairman. THE GAZETTE OF INDIA EXTRAORDINARY 23. Postings and transfer.—Postings and transfers of all officers and other members of the staff of the Board shall be made by the Chairman who may delegate this power to such extent as he deems fit to the Commissioner

24. Pay, Leave and Allowance of Borrowed pay, leave and allowances including travelling allowances of officers mentioned in sections 6 and 6A and also permanent Government Officers lent or transferred to the Board be regulated by rules made by the Central Government and applicable to Government servants of that Government. (1) The following penalties may for good and sufficient reason be imposed on the officers and other members of the staff of the Board:— (a) (b) (c) (e) (g) (h) warning, censure, suspension, recovery from the pay of the whole or part of pecuniary loss caused to Board by negligence or breach of trust, withholding of increment or promotion including stoppage of emolument, reduction to a lower post of time scale or to a lower stage in time scale, removal, and dismissal. (2) The Chairman may impose any of the penalties specified in sub-rule (1) in respect of all officers and staff whom he is empowered to appoint and may delegate the said power to any officers subordinate to him subject to such conditions as he deems fit. (3) The Chairman may impose any of the penalties specified in clauses (a) and (b) of sub-rule (1) on other officers and servants appointed by the Board and also on officers mentioned in Section 8A subject to the condition that he shall intimate the action taken by him in this regard in respect of the latter to the Central Government. (4) The Board may impose any one of the penalties specified in clauses (a) to (h) of sub-rule (1) in respect of officers appointed by it and may delegate the power to the Executive Committee to such extent as it deems fit subject to the following conditions, namely:— (i) that no person shall be removed or dismissed from office or reduced in rank if the maximum salary of the post exceeds Rs. 500 without the sanction of the Central Government; (ii) that no person shall be removed, dismissed or reduced by an authority lower in rank than the authority empowered to appoint him substantially to the post he is holding; (iii) that no person shall be removed, dismissed or reduced without giving him reasonable opportunity to show cause against such action; (iv) that these powers shall not be exercised in respect of officers mentioned in section 6 and 6A and permanent Government officers transferred to the Board: Provided that no punishment shall be inflicted on Government officers lent to the Board except by the Governments concerned. (5) The Board may delegate its powers under this rule to the Executive Committee

26. Sending person 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

CHAPTER V POWERS OF THE BOARD AND CHAIRMAN 27. Powers of the Chairman shall be responsible for the functioning of the Board and the implementation of its decisions and the discharge of its duties under the Act. 3] THE GAZETTE OF INDIA EXTRAORDINARY (2) The Chairman shall be the principal executive officer of the Board and shall exercise administrative control over all departments

and officers of the Board. (8) Subject to such delegation as may be made by the Chairman to such other as may be appointed for the purpose of this rule, the Chairman shall:— (a) cause all important papers and matters to be presented to the Board as early as practicable; (b) issue directions as to the method of carrying out the decisions of the Board; (c) grant, or subject to resolution by the Board, authorise some other person to grant, receipts on behalf of the Board for all moneys received under the Act; (d) maintain or cause to be maintained an account of the receipts and expenditure of the Board; and (e) present a half yearly draft report of the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government. (4) The Chairman shall have power:— (i) to sanction or reject applications under section 10 for registration from estates, and to cancel registrations in force; (ii) to issue general or special licences under section 14 and extend the period of validity of such special licences and revoke them; (iii) to issue licences for planting and replanting rubber under section 17, extend the period of their validity and to revoke them; (iv) to call for information, documents and returns and to inspect or cause to be inspected, accounts and places of storage or of business as required or provided by the Act or these rules; (v) to require the Board or any Committee to defer taking action, pending reference to the Central Government on any decision taken by the Board or the Committee. (5) The Chairman may sanction an expenditure on contingencies, supplies and services and purchase of articles required for the working of the office of the Board and required for the execution of measures in furtherance of the object of the Act, subject to the necessary provisions in the budget. (6) The Chairman may by order in writing delegate any of his powers under sub-rules 4 & 5 to any other officer of the Board. (7) Where a matter has to be disposed of by the Board or a Committee and a decision cannot wait till a meeting of the Board or the appropriate Committee, as the case may be, he may, if he holds, or till completion of circulation of papers, the Chairman may take a decision himself and after taking decision thereon keep the members of the Board or the Committee informed of the decision so taken.

28. Delegation of The Board shall have power to delegate to a Committee such power as it deems fit. (2) Every Committee appointed by the Board shall exercise the powers conferred on it by or under the Act or these rules, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of all committees shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

29. Restriction on delegation of The Board shall not delegate any administrative or financial power to any Committee, other than the Executive Committee. (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. 10,000 in respect of any single item; (b) the power to adopt the Budget Estimate of the Board on its behalf; (c) the power to sanction expenditure incurred outside India in excess of Rs. 5,000 in respect of any single item; (d) the power to re-appropriate savings in excess of Rs. 2,600 in the case of any single item; (e) the power to write off losses in excess of Rs. 500 in any single case.

30. Power to incur 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 upto a maximum of Rs. 1,000 in any single case: 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. (1a) The Board may delegate the powers under rule 30 (1) above to the Chairman or Secretary. (2) Re-appropriations within a head of expenditure be made by the Board and, subject to clause (d) of sub-rule (2) of rule 28, the Board may delegate its powers in this behalf to the Chairman or Secretary. (3) Re-appropriations between heads of expenditure shall not be made save with the previous sanction of the Central Government. (4) The Board shall not incur expenditure outside India in excess of Rs. 10,000 on any single item without the previous sanction of the Government.

31. Borrowing powers.—The Board may with the previous sanction of the Central Government borrow, on the security of the General Fund or any other of its assets, for meeting its expenses or for any other purposes referred to in section 6 of the Act: Provided that no loan shall be taken which is repayable later than six months from the date of the loan.

32. 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. 20,000 shall require the previous

sanction of the Central Government. (2) Subject to the provision of sub-rule (1) the Board may delegate to Chairman sue.) 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 an officer of the Board duly authorised by the Chairman

33. Power to call for information and documents.—The Board may serve by post a notice upon: — (a) the owner of any estate requiring him to furnish within such period, not being less than 30 days as may be specified in the notice, such information and documents relating to the area planted with rubber or to the production (including the cost of production) and sale of rubber produced on the estate or to the ownership of the estate or to any other matter as it may deem necessary to enable it to discharge its duties under the Act; (b) any licensed dealer or any manufacturer or any other person if the Board has reason to believe that such person has any rubber in his possession, requiring him to furnish within such period not being less than 30 days as may be specified in the notice, such information and documents relating to the stocks of rubber held and sale of rubber or to any other matter as it may deem necessary to enable it to discharge its duties under the Act

CHAPTER VI FINANCE AND ACCOUNTS of BOARD

34. Budget Estimate.—(1) The Board shall in each year prepare a budget for the General Fund for the ensuing financial year and shall submit it for sanction of the Central Government on or before such date as may be appointed by that Government. SEC. 3) THE GAZETTE OF INDIA EXTRAORDINARY 1621 (2) The budget shall be in such form as the Central Government may direct and shall include a statement of— (i) estimated opening balance; (ii) estimated receipts by way of grant from the Central Government under sub-section (7) of section 12; (iii) proposed expenditure classified under the following heads or such other heads as the Central Government may direct: (a) Administration (b) Research (c) Statistics (d) Others. (3) The proposed under each head shall be further classified under the following sub-heads: (i) Pay of officers, (ii) Pay of Establishment (iii) Allowances, Honoraria etc. (iv) Other charges, contingencies etc. (4) Supplementary 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 it. 35, Accounts of the Board.—The Board shall maintain separate accounts for the General and Pool Funds. (1) General Fund.—In respect of General Fund for which budget estimates are prepared, the Board shall maintain accounts of receipts and expenditure relating to each financial year. (2) The audited statement of receipts and expenditure for each period together with the auditor's report thereon shall be submitted to the Central Government. (3) After the close of each year, the Secretary shall place the statement before the Board and afterwards transmit it to the Central Government. (4) An abstract statement of receipts and expenditure shall be published in the Gazette of India. (5) The Grants received from the Central Government under sub-section (7) of section 12 shall be deemed as receipts of the Board. (6) The opening balance, if any, shall also be stated as such separately. (7) Expenditure incurred in the year shall be shown under separate heads and sub-heads. (8) The closing balance of the year shall be shown at the foot of the account on the expenditure side 36. Pool A special fund known as the Pool Fund shall be created under sub-section (2) of section 9. In respect of the Pool fund for which budget estimates are prepared, the Board shall maintain accounts of receipts and expenditure relating to each financial year. (2) The audit report on the accounts of the Pool Fund together with the explanatory notes shall be put up to the Board

37. Deposit of Funds of the Board in Banks and the investment of such Money required for current expenditure of the Board with the exception of petty cash and surplus moneys shall be kept in R current account in the Imperial Bank of India or such other bank as the Central Government may approve. (2) Any funds not required for current expenditure may be placed in deposit account with the Central Government in the Public Account. (3) Placing of money in deposit with the Central Government shall require the sanction of the Chairman or, in his absence, of the Board. 1622 THE GAZETTE OF INDIA EXTRAORDINARY (4) Payments by or on behalf of the Board shall be made in full by cheque drawn against the current account of the Board. (5) Such cheques and all orders for making deposits or investment or the withdrawal of the same, or for the disposal in any other manner of the funds of the Board shall be signed by the Secretary and countersigned by the Chairman or, in the absence of the Chairman, the Vice-Chairman. CHAPTER VII MISCELLANEOUS 88. Registration of Rubber Every person subject to the provisions of section 10 shall make in duplicate an application to the Board in Form A, for registration as an owner in respect of each estate owned by him. (2) The Board may call for any additional information which it may deem necessary for the purpose of registering such person as the registered owner in respect of each estate owned by him. (3) The Board shall allot a registration number to every estate in respect of which an application has been made in Form A and shall return the duplicate copy to the applicant with the registration number duly filled in. 89. Licence to deal in Rubber Every person who wants a special licence to purchase, sell or otherwise deal in rubber, shall apply for a licence in Form B. The Board, if it is satisfied with regard to the suitability of the applicant, may issue a licence in



Form C. (2) The licences shall be numbered and shall not be transferable



40. Licence to acquire rubber.—Any manufacturer desiring a special licence to purchase or otherwise acquire rubber shay apply to the Board in



Form If the Board approves, a licence may be issued in Form E



41. Licence to plant Any person desiring to undertake planting or replanting of rubber shall apply to the Board in Form F.(2) The Board shall consider all applications and may grant to such applicants as it thinks fit licences in Form G for planting and in



Form 1 for replanting in respect of the whole or any part of the area asked for or may refuse to grant a licence, (8) The licence shall specify the area of planting or replanting and the for which the licence shall be valid. (4) Any right of planting of rubber granted by a licence shall be deemed to be attached to such land and shall not be transferable apart from the land on which such right is permitted to be exercised. (5) Every holder of a licence shall, at such times as the Board may from time to time require, furnish to the Board a return giving the areas newly planted or replanted during that period in pursuance of such licence together with such other particulars as may be required for the purposes of the Act. 42, Power to revoke or cancel Licences—The Board may, at any time, after affording a reasonable opportunity to the licensee to be heard, revoke or cancel any licence if it is satisfied that the licensee obtained the licence by deception of facts or fraud or if he fails to submit the necessary returns

43. Submission of returns.— (1) Every estate when required so to do shall submit to the Board a true monthly return of actual production of rubber in the estate in Form J. (2) Every estate when required so to do and every dealer licensed by the Board shall submit a true monthly return of raw rubber held, acquired or disposed of, in Form H. (3) Every manufacturer shall submit to the Board a monthly statement of stocks of rubber purchased or acquired and consumed, etc., in Form K

44. Registers.—The Board shall maintain the following registers, namely:— (a) a register of estates; THE GAZETTE OF INDIA EXTRAORDINARY (b) a register of dealers licensed; (c) a register of manufacturers to whom licences for purchase of rubber have been issued

45. Licence fees.—The Board shall levy fees at the following rates for licences under these rules, namely:— (e) for purchasing rubber in quantities exceeding 150 lbs. but not exceeding 2 tons—Rs. 2 per licence; (b) for purchasing rubber in quantities exceeding 2 5 per licence— (c) for new planting and replanting of rubber Re. 1 per licence; and (d) for the dealers.—Rs. 100 per licence per year. g. appeals to the Central Government against any order or the under Section 23, a fee of Rs. 25 per appeal shall be levied. THE PICTORIAL (See Rule 2 FORM A Rule 38 (31) THE RUBBER BOARD for of estate. TO be filled up in duplicate and sent to the Secretary, Cochin Smt. The should reach the Secretary on or before... Rubber Board, Kottayam, Travence Note (PLEASE TYPE OR WRITE IN BLOCK LETTERS) application should be submitted in respect of estates situated in different taluqs or Districts. Reg. No. (To be filled up by the Board) 1. Name of Estate. a. Location of Estate:— (a) State (b) District (c) Taluk (d) Village or Panchayath (e) Post office (f) Nearest Telegraph Office

3. Name and address of Proprietor, Lessee, or person appropriating the produce. (The particulars of the person having actual possession of the Estate should be given here)

4. Name and address of Manager or Agent

5. Name and address of person to whom correspondence regarding this estate should be addressed

6. (a) Nature of Title of the Applicant. (State whether title is claimed on deed or Inheritance, prescription, etc.) (b) If title is claimed on lease deed, state (i) The No. , the date of registration, the date of expiry, and the name of the registry office where the document was (ii) Name and address of the person who executed the lease deed

7. The No. and date of the licence issued by the Rubber Board under which the planting out. 24 8. Total area planted with rubber... OF INDIA EXTRAORDINARY No. tree 8 in exclusive- ly planted area Rubber fin- ter planted with other crop (acres) 11 No, Df rubber inter- trees planted area *car or Years of Pluming Total Exclusively in rubber U.S. Planted (ectes) U.s. C.S. B.G. U.s. C.S. B.G. U.s. C.S. B.G. 9, Is planted area surveyed or has the owner proof of acreage under rubber ? 10. If planted area is not surveyed separately, Éve survey No. or Nos. in which plants exist. Proprietor, Lessee, Occupier, Duly Accredited Agent of'. , Estate hereby declare that the statements contained in this return are true and accurate and that the estate books are available to support the figures given in this application. Dated at.... Signature of witness. Name and address of witness. U.S (Ordinary) Seedlings. C.S Seedlings. B.G . this..... day of.... -1 Signature, Superintendent, Proprietor, Lessee, Occupier, Duly Accredited Agent. FORM B 1. 2. 3. 4. 5. 6, 7. 8, 9, [See Rule 39 (1) THE RUBBER BOARD Application for the issue of a Special licence to deal in rubber. Name of the firm (in Block Letters) Address in full of the place of business. Full name, age and permanent addresses of Proprietor, Proprietors or partners of the firm. (a) Have you been licensed rubber dealer under the Indian Rubber Board ? (b) If so please quote your Dealer's Reg. No. From what date have you been dealing in rubber ? Are you doing or proposing to do any business other than dealing in rubber ? Invested capital or financial standing of the firm. Is there on the staff any person who knows grading or packing of raw rubber? If so, the names of such persons and their experience. What was the total quantity of rubber purchased and sold by you during each of the previous five years RUBBER PURCHASED (in lbs.) RUBBER SOLD (in lbs.) (If accurate figures are available in the accounts of the firm, figures may be given) I declare that the statements are true to the best of my knowledge and belief. Date. Signature of Applicant. (This application should be by owners of rubber estates of not less than 15 acres each.) 2. Here... Signature, Name and address of the owner. Reg. No. of the estate. Signature, Name and address of the owner. Reg. No. of the estate. THE GAZETTE OF INDIA EXTRAORDINARY

FORM C [Sd' Rule 39(1)] THB RUBBER BOARD Licence No. Mr./Messrs..... of. late hereby authorised to buy, sell and generally deal in rubber, Date. This licence shall remain in force from.. both days inclusive and is not transferable. Kottayam Travancore-Cochin State Date. to.... For The Rubber Board, Secretary. FORM D (Sae Rule 40) THB RUBBER BOARD Application to purchase or otherwise acquire rubber. Applicant's Name and Address of .. quarter 3rd quarter 4th quarter TOE 1. 2. 3. 4. S. Yr Quantity or rubber required. Estimated Quantity of rubber required for the year. Purpose for which the rubber is required. Actual consumption during the Stock of rubber held on date of application or purchased and in transit or awaiting delivery. Grade Tons Grade Tons Grades Grade tonnae. Tons Tons Date... Signature of Lb8. applicant. FORM E (See Rule 40) THB RUBBER BOARD Licence to acquire rubber. Licence No. Date. Mr./Messrs... is hereby authorised to purchase or otherwise acquire the under— mentioned quantities of rubber from registered estates or licensed dealers in India.

This is valid from. . . State Date. Grade . . . to... Tong. ... both days inclusive. For the Rubber Board, Secretary «626 GAZETTE OF INDIA EXTRAORDINARY FORM F [See Rule THE RUBBER BOARD Application for licence for newplanting/replanting • rubber. Full name and address of applicant. Year intended to be new planted/replanted in year or years 3. 4. 5. 6. 7. each. Type of planting materials proposed to be used. from which planting material will be obtained. District, Village or Panchayat and Survey numbers of each estate area covered by the application including boundary, the name and a sketch map of the property concerned. Nature Of the Right, title or Interest Of the applicant In the by the application. Register numbers of plantations already owned, if any, by the to the books of the Rubber Board. (Ad. lected (Ordinary) seedling. aonal Bud- eed. grdtL lings. Sud an Dete * Strike out the word not applicable.

FORM G [See Rule THE RUBBER BOARD NEWPLANTING - Licence No. Name of addressee of applicant. Reg. No. Estate. Name of estate..... Signature of *mnt. Date of Issue. Description of area where rubber is permitted to be planted.. . Peon. laiaia is granted to plant.,... a period up Kottayam. S. India. For the Rubber Secretary. A return this form should be sent to the Secretary, 23 soon as the planting the whole area is completed. If the whole area is not planted in one year or if no planting done during year, that fact should be intimated later than the 31st of the year for which licence is granted. Printed copies of the form for furnishing returns of newplanting *mm...., To the Secretary Rubber Board, Kottayam.

Travancore—Coddn. GA.MRX OF INDIA ATR.AOADDURY 1621 Newplanting Licence No., ... Dear

Sir, Reason of planting Dated 1 week: to inform you that have planted . . . cents Of the area sanctioned for new plantation under the above licence . . . during the year. This area has been planted with out the words not applicable). Date, i) Unselected nursery) Seedlings ii) Clonal Seedlings iii) Budgrafted Yours faithfully,

Signature. FORM H [See, Rule 43(2) 1: This return each month should be sent at * t. Kottayam. by the month of the succeeding month). THE RUBBER BOARD Serial No., . . Name of the Dealer I declare. At the following is a true account in respect of * .. 1 my business @ for the month of . Reg. and Grades Stocks acquired or produced during the month lbs. 111 Stocks Balance Group Group Closing Stocks of grades of

rubber as shown in the last returns. lbs. 3 disposed Of Stock of during on hand the month at the end Stock. in transit for which receipt notes have not been received- lbs. Of the month. lbs. RMA rx R.N.I.A a RMA 3 Cuttings No. RMA 2 RMA 3 Cuttings No. z Precoagulated cepe. Tale utex Cepe :Plate Lan -Pale u ta Crepe a 'Pale J J Group 4 1628 Estate Brown Crepe Super IX Estate Brown Crepe TX Emte Brown Crepe zX Smoked Blanket Remitted Crepe 2 Estate Brown Crepe 3X Romilled Crepe 3 Remitted Crepe 4 Flat Bark cre (Fmth Scrap & cepe) Clean Dry Curly Scrap No. 1 Clean Dry Curly Scrap No. 2 Clean Dry Shell Scrap Clean Dry Washed Earth Scrap No. Clean Dry Earth Scrap No. a Sole Crepe Preserved Latex (Dry Rubber Content). (State Percentage of concentration). Total Date.. •For dealers only OF INDIA

xxnAORDINARY Group 5 Group 6 Group 7 (i) Normal. (ii) Centrifuged concentrate. (iii) Creamed Concentrate. (PART II) Here enter the name of the estate. Signature of the owner of the Estate. Delear. FORM 1 Rule THE RUBBER BOARD REPLANTING LIC* NCH Licence No... . Name and address of applicant. Reg- No. of Estate. Registered area of ante. . Date of issue. . acres. Description of area where rubber is permitted to be replanted..... is granted to replant. - . Kottayam, Travancore-Cochin , S.

India. . . ncre8. This licence is valid • period up For the Rubber Board. _ THE GAZETTE OF INDIA EXTRAORDINARY 1629 As soon as the replanting is completed, please fill in and return this Form. If no replanting is done or only a portion of the area sanctioned is replanted during the year, that fact should be intimated not later than the 31st December of the year for which licence is granted. Replanting Licence No.. . Reg. No. of Estate. . . acres. From.... The Secretary, Rubber Board, Kottayam, Travancore-Cochin.

SIR, In accordance with the licence granted to me on.. of the above estate during the year 19... with—
Date. . , I have replanted, (i) Unslected (Ordinary) seedling,.. (ii) Clone) seedling,... (iii) budgrafts, ..
acrC3 , ,acres. acres. The year of planting Of the Old rubber Cut down for the purpose of replanting
was..... Yours faithfully, Proprietor/Manager/Duly Accredited Agcnt. Strike out the words not applicalbe.
FORM J [Sec Rule (To be submitted every month to the Secretary, Rubber Board, Kottayam, by the 10th
Of each suoceeding month). Name Df Estate. Month THE RUBBER BOARD Register No..

PRODUCTION STATEMENT Grades Group Group 2 Group 3 Quantity (Ibe.) R.M.A. IX R.M.A.
R.M.A. 2 R.M.A. 3 Cuttings ND. I J R.M.A. 4 R.M.A. 5 Cuttings No. 2 J Precogglated Crepe Pale Latex
Crepe IX Pale Latex Crepe 1 Pale Latex Crepe 2 PRIC Latex Crepe Group 4 FAQ THE GAZETTE OF
INDIA EXI*RAORDINARY Estate Brown Crepe Super IX [PART 11 Estnte Brown Crepe IX Estate
Brown Crepe 2X Smoked Blanket Remillod Crepe 2 Estate Brown Crepe 3X Remilled Crepe 3 Remined
Crepe 4 Fiat Bark Crepe (Earth Scrap Crepe) Group 5 Group 6 Group 7 Clean Dry Curly Scrup No. 1
Clenn Dry Curly Scrap NO. 2 Clean Dry Shell Scrap Clenn Dry Washed Earth Scrap No, 1 Clean Dry
Earth Scrap No. 2 Sole Crepe. Pre8erved latex (Dry rubber content) (State precentage of Concentration)
TOTAL Unselected (Or- seedling. (in acrea) (i) Total planted area (ii) Area under tapping (iii) Yield for
the month Date.... (1) Normal Latcx (2 Centrifuged concentrate (3 Creuned concentrate.... Clonal
Seedling8 (in acre') (in nn.) Bu d grafts (in acres) (In Ibe,) Signature of Owner or Superintendent. THE
GAZETTE OF INDIA EXTRAORDINARY FORM K [See Rule 43 (The return for each month should be
Sent so as to reach the Secretary, Rubber Board, Kottaya.m by the 10th of the succeeding month) THE
RUBBER BOARD Name 'ot Manufacturer. , Full Addre*8... I hereby declare that the following Is a true
account in respect , for the month (State here the name of the firm) Stock Stock con- Stocks Balan- Stocks
RMA IX RMA I RMA 2 RAMA 3 Cuttings No. r RMA RMA 5 Cuttings No. 2 precoøglated Crc e pale
Latex Crepe Pale Latex Crepe I pale Latex Crepe 2 pule Latex Crepe 3 FAQ E.B.C. super IX Estate
Brown Crepe IX E8tRte Brown Crepe 2X Smoked Blanket Remilled Crepe 2 Estate Brown Crepe 3X
Remined Crepe 3 Remined Crepe 4 Flat Bark Crepe (Earth Scrap Crepe) Clean Dry Curly Scup No. 1
Closing stock of all gra- des of rubber shown in the last return lbs. Group 1 Group z Group 3 Group 4
Group 5 (houp 6 Group 7 acquir- ed dur- ing the month lbs. eumed other- in mR- wise nufnc- dispos- ture
cd of during during the the month month ce of in tran• 8tock8 sit await- on hand ing de• at the livery. end
Of the month. lbs. 3 lbs. 4 lbs. 5 lbs. 6 THE GAZETTE OF INDIA EXTRAORDINARY Clean Dry Curly
Scrap No, 2 Clean Dry Shell Serap Clean Dry Washed Earth Scrap No. Clean Dry Earth Scup No. z Sole
Crepe. Lntex (Dry rubber content) (Srate per- centage of Concentration) Qi) Normal (ii) Centrifuged
concentrate (iii) Creamed concentrac Total Particulars of Imporzed Rubber (In lbs.) 11 Quantity imported
Natural rubber (in groups or grades) Synthetic tubber Reclaim rubber Place Dhite . Quantity consumed
Balance stock on hand Signature of the Mnnager/Propriccor of the Factory, THE SECOND SCHEDULE
[See Rule 3 (2) | PROVISIONS RELATING TO ELECTIONS 1. Constituencies.—The undermentioned
constituencies shell they shall be entitled to elect the number ot members noted the Board. Madras State—
Large growers' constituency Travaneore.Cochin State—Large growers' constituency be formed and against
each to Seats 1 3 4 The large grower's constituency in a State shall consist of every large grower registeled
in that State as provided under section IO of the Act

2. Voter8.—The persons in whose names the estates are registered shall be the voters: Provided where an
estate in registered in the nemes of more than one per- son, the registered owners Bhall nominate one
among them to vote on their behalf: Provided also where an estate is registered in the name of a Company,
the Company shall nominate its Chairman, Managing Director, partner or other shareholder to vote on
behalf of the Company

3. EctoraL RoELs.—The Secretary shall prepare electoral rolls for each consti- tuency every two years
on the basis ot voters therein as on the 1st August of the pNceding year and shall cause them to be
published in such manner as the Chairman may precribe at the Omce of the Rubber Board and at such
other places as the Chairman may decide. THE GAZE"ITE OF INDIA EXTRAORDINARY 1633
Objections, if any, from the electors must be submitted to the Returning Officer within 10 days of the
publication of the electoral roll. If any dispute ariscs whether any person is entitled to be an elector in e
constituency the Secretary shall report the matter to the Chairman whose decision thereon shall be final.
No election to the Board conducted under those rules shall be invalid by reason of any vacancy among the
number of persons entitled to vote 8t such election

4. Franchiae.—Every voter in each constituency shall have one vote for each seat for which election is to be held irrespective of the area of his estate or estates

5. Returning Officer.—The Chairman of the Board shall be the Returning Officer for the election of representatives of rubber growers on the Board and shall, subject to the provisions of the Act and its Rules, do all things necessary for the conduct of elections. —If any vacancy occurs or is about to occur by 6. Notification of vacancies. on any of time or by any other reason the Returning Officer shall issue a notification stating the nature of the election, the latest date for presentation of nomination papers, and the time and place for scrutiny of the nominations. Each elector shall be at liberty to nominate a person on his electoral roll to fill the vacancy. Every nomination shall be made by an elector in writing and shall be seconded in writing by another and every such nomination shall be accompanied by the consent in writing of the nominee agreeing to serve on the Board, if elected, and must reach the Returning Officer not later than the notified date which shall be not less than 10 days after the publication of the notification of the vacancies. No candidate for election to the Board shall stand for election at the same time for more than one constituency

7. Scrutiny of nomination papers.—All nomination papers shall be scrutinised by the Returning Officer on the date and hour fixed at the place appointed and notified, and the names of the candidates whose nomination papers have been declared valid shall be published on the same day by annexing a copy thereof on a Notice Board at the Office of the Returning Officer. Appeals if any, from candidates whose nominations have not been held valid must be filed within 7 days of the declaration of valid nominations and these shall be placed before the Returning Officer whose decision shall be final

8. Nominations not exceeding the vacancies.—If the number of valid nominations does not exceed the number of vacancies to be filled, the Returning Officer shall declare such nominees to be elected

9. Procedure for elections.—If the number of valid nominations exceeds the number of vacancies to be filled, the Returning Officer shall forward to each elector through the post (i) the numbered declaration paper (to declare that the voter is a member of the constituency concerned and has signed no other voting paper at that election for that constituency), (ii) a voting paper on which the names of the candidates duly nominated shall be arranged in alphabetical order and which shall bear on it directions to the voter the initial* of the Returning Officer and the date of posting, (iii) a voting paper cover and an envelope addressed to the Returning Officer, and (iv) the letter of intimation stating the number of vacancies, the date and hours fixed for the poll and the date and hour fixed for the scrutiny and counting of votes. The papers shall be forwarded to the address altered against the name of the elector in the electoral roll or, if the elector has since the preparation of the roll changed his address and intimated the fact in writing to the Returning Officer not later than 14 days before the date fixed for the despatch of the voting papers, to the address so given. The date fixed for the poll shall not be less than 10 days from the date of posting of the voting papers. The elector shall, after filling up the declaration paper and the voting paper in accordance with the directions given in the letter of intimation, enclose the voting paper in the voting paper cover and stick it and enclose this cover and the declaration paper in the envelope addressed to the Returning Officer and send the envelope by registered post so as to reach the Returning Officer not later than the date fixed for the poll, or, at his agent, deposit the envelope addressed to the box provided at the office of the Returning Officer for the purpose on the date and during the hours fixed for the poll. If an elector is incapacitated from blindness or other physical cause from voting in the manner prescribed it shall be competent for him to record his vote by the hand of any of the officers or other persons empowered to attest his declaration; and such officer or other person shall, on the declaration paper certify the incapacity and attest the fact of his having been requested by the elector to mark the voting paper for him and of its having been so by him in the presence of the elector. The officers or other persons are empowered to attest votes of incapacitated electors. Magistrates (as defined in the Code of Criminal Procedure), 2. District Registrars, Sub-Registrars, 3

4. Rubber Production Commissioner.—An elector who has not received his voting and other connected papers sent by post or whose papers, before their despatch back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot be conveniently used, or who has lost his papers, may on his transmitting to the Returning Officer a declaration to that effect signed by himself require the

Returning Officer to send him new papers in place of those not received, spoilt or lost: and, if the papers have been spent the spent papers shall be returned to the Returning Officer who shall cancel them on receipt. In case when new papers are issued, a mark shall be placed against the number of the elector's name in the register (electoral roll) to denote that new papers have been issued in place of those not received, spoilt or lost. The Returning Officer shall seal all the covers containing declaration and voting papers received by him in a safe in his office until the time fixed for the scrutiny and counting of the votes. The Returning Officer shall appoint two members of the Board to act with him in the scrutiny and counting of the votes. Any candidate or his duly appointed agent may be present at the time of such scrutiny and counting of votes. On the day and the hour appointed for the scrutiny and counting of votes, the envelopes received from the electors except those which have not either been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll or deposited in the ballot box provided for the purpose on the day and during the hours fixed for the poll, shall be arranged and counted. They shall then be opened and the declaration papers and the voting paper covers examined. The voting paper cover other than those rejected hereunder shall next be opened and the voting papers taken out and mixed together. The voting papers shall then be scrutinised and the valid votes counted. A voting paper cover shall be rejected if:— (i) (ii) (iv) (v) the envelope contains no declaration paper outside the voting paper cover, or the declaration paper is not the one sent by the Returning Officer, or the declaration or statement is not in accordance with the rules, or the voting paper is placed outside the voting paper cover, or more than one declaration paper or cover voting paper have been enclosed in one and the same envelope. In the case of rejection, the word 'rejected' shall be endorsed on voting paper cover or the declaration paper as the case may be. SEC. 3] THE GAZETTE OF INDIA EXTRAORDINARY A voting paper shall be invalid if:— (i) it does not bear the Returning Officer's initials, or (ii) more votes than the number of persons to be elected are recorded on it, or (iii) no vote is recorded thereon, or (iv) a voter signs his name or writes any word or makes any mark on it, by which it becomes recognisable, or (v) it is void for uncertainty. On every paper so rejected, the Returning Officer shall endorse the word 'invalid' and such papers shall be kept in a separate parcel. 10. Only one vote to be recorded for each candidate.—Only one vote shall be recorded for any one candidate

11. Decision regarding validity.—The decision of the Returning Officer shall be final as to the validity of any votes recorded

12. Declaration of result.— After the scrutiny is completed and the votes have been counted a Statement shall be prepared showing:— (a) the names of the candidates for whom valid votes have been given; (b) the total number of votes given; (c) the number of valid votes given for each candidate; and (d) the name of the candidate elected. Candidates who have received the largest number of votes shall be deemed to be elected up to the number of vacancies available provided that in the event of two or more candidates obtaining equal number of votes the final election shall be made by drawing lots in such manner as the Returning Officer may determine. The Returning Officer shall communicate the names of candidate declared elected along with the above statement to the Central Government. The results of all elections shall be published in the Gazette of India and shall have effect from the date fixed in such notification. Preservation of voting papers.—The voting papers, together with the declaration papers, if any, of all elections shall be preserved in the Board's office for 6 months after the results are duly notified. DECLARATION PAPER serial No. Elector's Name, and in the Electoral roll, Elector's declaration I (name in full and designation) declare that I am an elector for the election of .. . by the (name of the constituency) . to the Rubber Board and have signed no other voting paper at this election. Date.... . Station.... . I. Address: Face of Voting paper cover Voting Paper Signature GAZETTE OF INDIA EXTRAORDINARY Face of Envelope [PART 11 Election to the Rubber Board by.. To The Returning Officer, (Address) By Registered Post Election: . Face of Voting paper Names of candidates Voting Paper Mark showing the voter's choice (Please see instructions on the back) Back of Voting Paper (1) The number of vacancies to be filled in is (2) Place a cross mark thus X against the name of the whom you wish to vote. (3) A voting paper will be invalid if candidate for (a) (b) (c) Sir, it does not bear the Returning Officer's initials, or more votes than the number of persons to be elected are recorded on it, or no vote is recorded thereon, or a voter signs his name or writes any word or makes any mark on it, by which it becomes recognisable, or it is void for uncertainty, Letter of Intimation 1. The persons whose names are printed on the voting papers sent herewith have been nominated as candidates for election to the Rubber

Board. Should you desire to vote at this election, I have to request that you will:— (a) fill up and sign the declaration paper; (b) mark your vote, in the column provided for the purpose in the voting paper, as directed on the voting paper; (c) enclose the voting paper in the smaller cover and stick it; and (d) put the smaller cover and the declaration paper in the envelope addressed to me and return the same to me either by registered post, so as to reach me not later than Naan. P.M. , the..... . . day of. .19 or or cause to be deposited, the envelope addressed to me in the ballot box provided for the purpose, . between.. . A.M. end. and on the same day. GAZE' ME- OF INDIA EXTRAORDINARY 2. Voting paper will be rejected: — (1) if the envelope enclosing the voting paper cover and the declaration (2) (3) (4) (5) (6) paper is not either (i) sent by registered post and received not later than the hour fixed for the closing of the poll or (ii) deposited in ballot box on the date and between the hours fixed; if the outer envelope contains no declaration paper outside the smaller cover; if the voting paper is not enclosed in the smaller cover; if more than one declaration paper or cover containing voting paper have been enclosed in one and the same envelope; if the declaration or attestation is not in order; if the declaration paper is not the one sent by the Returning Officer to the voter; (7) -ii the voting paper is invalid

3. A voting paper will be invalid if:—(a) it does not bear the Returning Officer's initials; or (b) if the voter has signed or writes any word or makes any mark by which it becomes recognisable; or (c) no vote is recorded on it; or (d) more votes than the number of persons to be elected are recorded on it; or (e) it is void for uncertainty

4. Declaration papers need not be attested, but in case of a voter who is incapacitated from blindness or other physical cause from voting in the manner prescribed. It shall be competent for him to record his vote by the hand of any of the following persons: Magistrates (as defined in the Code of Criminal Procedure); District Registrars; Sub-Registrars and Rubber Production Commissioner. Such persons shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested, by the voter to mark the voting paper for him and of its having been so marked by him in the presence of the voter. If a voter inadvertently spoils a voting paper, he can return it to the Returning Officer who will, if satisfied of such inadvertence, issue to him another paper. The scrutiny and counting of votes will begin on. Station.... . Dated. Returning Officer, P. C. ALEXANDER, Dy. secy. New Delhi. the 13th August 1955 RUBBER CONTROL S.E.O. 1663.—In exercise of the powers conferred by sub-section (3) (H) of section 4 of the Rubber Act, 1947 (XXIV of 1947) the Central Government hereby appoints Shri N. Sankara Menon as Chairman. Rubber Board with effect from the 1st day of August 1955. [No. 20 (2A) Plant, '55.1 HARBANS SINGH, Under secy. RUBBER CONTROL New Delhi', the 1st August 1965 S.R.O. 1664.—In exercise of the powers conferred by sub-section (1) of section 12 of the Rubber Act, 1947 (XXIV of 1947). the Central Government hereby fixes one anna per pound as the rate at which the duty of excise shall be levied and collected as a cess on all rubber produced in India and notified on the 18th day of August, 1955, as the date with effect from which that duty shall be levied and collected at the rate aforesaid. [No. 20 (3) Plant/65.1 P. C. ALEXANDER Dy. secy. 1638 GAZE' ME or INDIA EXTRAORDINARY COFFEE CONTROL New Delhi, the 1st August 1955 S.R.O. 1665.—In exercise of the powers conferred by sub-section (2) of section 1 of the Coffee Market Expansion (Amendment) Act, 1954 (50 of 1954). the Central Government hereby appoints the 1st day of August, 1955, as the date on which the said Act shall come into force. S.R.O. 1668.—In exercise of the powers conferred by section 48 of the Coffee Act 1942 (VII of 1942) and in supersession of the Coffee Market Expansion Rules, 1940, the Central Government hereby makes the following rules, namely: — CHAPTER 1 PRELIMINARY 1. Short title.—These rules may be called the Coffee Rules, 1955

2. Definitions.—In these rules, unless the context otherwise requires,— (1) (2) (4) (5) (3) (7) (8) (9) "the Act" means the Coffee Act, 1942 (VII of 1942). "Accounts Officer" means the Accounts Officer of the Board, "Board" means the Coffee Board constituted under Section 4, "Chairman" means the Chairman of the Board, "Chief Coffee Marketing Officer" means the Chief Coffee Marketing Officer of the Board and includes the Deputy Chief Coffee Marketing Officer, "Committee" means any Committee constituted or appointed by the Board under sub-section (2) of section 7, "Deputy Chief Coffee Marketing Officer" means the Deputy Chief Coffee Marketing Officer of the Board, "Deputy Secretary" means the Deputy Secretary to the Board, "Director of Research" means the Director of Research of the Board, (10) "Form" means a Form set out in the First Schedule. (11) "large grower" means a registered owner owning land planted either with arabica coffee, robusta coffee. or both aggregating to not more than 50 acres, whether such land is

comprised in one estate or more than one estate. (12) "Member" means a member of the Board, (13) "robusta grower" means a registered owner owning land planted with robusta coffee plants aggregating to not less than 5 acres, whether such land is comprised in one estate or more than one estate: Provided that where both robusta and arabica plants are planted, the area under robusta shall not be less than the area under arabica; (14) "Schedule" means a Schedule set out in these rules. (15) "Secretary" means the Secretary to the Board, (16) "Section" means a Section of the Act, (17) "small grower" means a registered owner who is not a large grower, (18) "Vice-Chairman" means the Vice-Chairman of the Board, and (19) "year" means the year as defined in the Act, except for the purpose of preparing a budget out of the general fund of the Board, in which case year shall mean the financial year commencing on the first day of April.

SEC. 5] THE GAZETTE OF INDIA EXTRAORDINARY CHAPTER 11 BOARD AND RULES
CONSTITUTION 1639 3. Constitution of the Board and manner of filling The Board shall consist of the Chairmen and thirty-three other members representing the industry, bodies, authorities and other interests specified in clauses (ii) to (xiv) of sub-section (2) of section 4. (2) Of the four persons to represent the coffee growing industry in each of the States of Coorg, Mysore and Madras under clauses (vi), (vii) and (viii) respectively of sub-section (2) of section 4, two persons shall represent large growers, one person robusta growers and one person small growers. The persons representing the large growers in a State shall be elected from among the large growers of that State in accordance with the rules specified in the second schedule. The persons representing the robusta growers and small growers of each State shall be nominated by the Central Government after making such consultation it may think fit. (3) The Central Government may make such consultation as it may think fit before appointing the representatives specified in clauses (ix) to (xiii) of sub-section (2) of section 4 as members of the Board

4. Term of Office as hereinafter provided, a member shall hold office for three years from the date of the publication of the notification in the Official Gazette notifying his nomination or election and shall be eligible for re-nomination or re-election, as the case may be. (2) A member elected or nominated to fill a casual vacancy, or a member nominated by the Central Government on failure of any Authority or body mentioned in sub-section (2) of section 4 to make a nomination 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 or the nomination had not been made, as the case may be

5. Membership Roll.—The Secretary shall keep a record of names of members and their addresses

6. Change of Address.—If a member changes his address, he shall notify his new address to the Secretary who shall thereupon enter his new address in the Official records but if he fails to notify his new address, the address in the Official records shall for all purposes be deemed to be the member's correct address, 7, Resignation.—A member of the Board or of a Committee may resign his office by a letter addressed to the Secretary, but the resignation shall not take effect until it is accepted by the Chairman of the Board or of the Committee, as the case may be

8. Removal from the Board.—The Central Government may remove any member from his office: (a) if he becomes bankrupt or insolvent or suspends payment or compounds with his creditors; or (b) if he is convicted of an offence which is punishable under the Indian Penal Code (Act of 1860) and under the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), non-bailable, or (c) if he is of unsound mind and stands so declared by a competent court; or (d) if he absents himself from two consecutive meetings of the Board without the leave of the Chairman and in any case from three consecutive meetings, or 1640 THE GAZETTE OF INDIA EXTRAORDINARY [PART 11 (e) if he defaults in payment of any dues to the Board, and is so declared by the Board

9. Absence from Office & member departs from India—(a) he shall intimate to 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 period longer than six months, he shall tender his resignation. (2) If any member departs from India without taking either of the courses mentioned in sub-rule (1), he shall be deemed to have resigned his office with effect from the date of his departure from India. 10. The Board shall, in each year out of its own number, elect a person to be the Vice-Chairman for a period of twelve months commencing from the date of his election. (2) In the event of the Vice-Chairman resigning his office or ceasing to be a member of the Board, the Board shall at its next meeting elect a member to be Vice-Chairman for the unexpired portion of the term of office of the Vice-Chairman elected under sub-rule (1)

CHAPTER 111 PROCEDURE-BOARD AND COMMITTEES 11. Minimum number of meetings of the shall be not less than two ordinary meetings of the Board in a year on dates to be fixed by the Chairman and at such places as the Chairman may think at. The interval between any two ordinary meetings shall not, in any case, be longer than eight months

12. Power to call meetings.— (1) The Chairman of the Board may at any time call a meeting of the Board and shall do so if a requisition for that purpose is presented to him by at least eight members of the Board. (2) At least fourteen clear days before any meeting of the Board, notice of the time and place of the intended meeting, signed by the Secretary, shall be sent to the Government of India in the Ministry of Commerce and Industry and left at or posted to the address of every member of the Board: Provided that in cases of urgency, a special meeting may be summoned at any time by the Chairman who shall inform in advance the Government of India in the Ministry of Commerce and Industry and member of the subject matter for discussion and the reasons for which he considers it urgent. No ordinary business shall be transacted at such special meetings, (3) The Chairman of the Board may require any member of the Board or invite any person or persons to attend any meeting of the Board, but such member or person or persons shall not have the power to vote

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

14. Presiding over Board meeting.—The Chairman shall preside at every meeting of the Board at which he is present, and in his absence, the Vice-Chairman shall preside, but when both the Chairman and the Vice-Chairman are absent from any meeting, the members present shall elect one of their number to preside at that meeting. **15. Agenda.**— (1) The Chairman of the Board shall cause to be prepared and circulated to the Government of India in the Ministry of Commerce and Industry and among the members at least ten days before an ordinary meeting of the Board a list of business to be considered at that meeting. (2) No business not set down on the agenda shall be considered without the permission of the Chairman. **16. Business.**— (1) All questions which the Board is required to take into consideration shall be referred to the members of the Board either at its meeting or by circulation of papers if the Chairman so directs and copies of all papers so placed at the meeting or so circulated to members shall be sent to the Government of India in the Ministry of Commerce and Industry. SEC. 8] THE GAZETTE OF INDIA EXTRAORDINARY (2) Any proposal or resolution so circulated and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by a majority of votes of members at a meeting: Provided that at least twelve members of the Board have recorded their views on the resolution or proposal: Provided further, that the papers need not be sent to any member who is absent from India: Provided also that when a question is referred by circulation of papers, any four members of the Board may require that the question be referred to a meeting, and thereupon such a reference shall be made to the Board at a meeting. (3) When any business is referred to members of the Board by circulation, a period of not less than 10 clear days shall be allowed for receipt of replies from members. Such period is to be reckoned from the date on which the notice of business is issued. (4) If a resolution or proposal is circulated, the results of the circulation shall be communicated to all the members and to the Government of India in the Ministry of Commerce and Industry. (5) All decisions on questions arrived at by circulation of papers shall be placed at the next meeting of the Board for record

17. Voting.— (1) Except as provided in rule 16 every question brought before any meeting of the Board shall be decided by a majority of the members present and voting at the meeting before which the matter is brought. (2) In the case of an equality of votes, the Chairman or the Vice-Chairman or any other member presiding at the meeting, shall have a second or casting vote

18. Appointment of Committees.— (1) The Board may appoint every year the following standing Committees and may appoint such other Committees as the Board deems necessary to exercise such powers and discharge such functions as may be delegated to it under these rules, namely; (a) Executive Committee consisting of: (i) the Chairman who shall be the ex-officio Chairman of the Committee, (ii) the Vice-Chairman, (iii) the members representing the Governments of Mysore, Madras and (iv) (i) (ii) (i) (ii) Coorg, and three members appointed by the Board by election, of whom not more than two shall be representatives of growers; Propaganda Committee consisting of:— the Chairman who shall be the em-

officio of the Committee, and five other members appointed by the Board by election; Marketing Committee consisting of: the Chairman who shall be the ex-officio Chairman of the Committee, and nine other members appointed by the Board by election, of whom five shall be representatives of two shall be representatives of the coffee trade and two shall be representatives of consumers: Provided that the Chief Coffee Marketing Officer shall attend all meetings of the Marketing Committee and participate in its proceedings but shall have no right to vote: (d) a Research Committee consisting of: — (i) the member representing the Government of the State of Mysore who shall be the Chairman of the Committee, (ii) the member representing the Government of the State of Madras, (iii) the member representing the Government of the State of Coorg, and (iv) seven members appointed by the Board by election of whom three members shall be from the State of Mysore: THE GAZETTE OF INDIA EXTRAORDINARY 11 Provided that the Director of Research shall attend all meetings of the Committee and participate in its proceedings but shall have no right to vote. (2) Sub-Committee.—A Committee appointed by the Board may appoint a Sub-Committee from among its members for and reporting on any specified subject or any other purpose within the scope of the functions allotted to it by the Board. Such Sub-Committee shall have no statutory powers. (3) The Chairman of any Committee appointed by the Board may require any member of the Board or invite any person or persons to attend any meeting of the Committee but such members or persons shall have no right to vote. (4) Functions of Committees.—(a) Propaganda Committee.—Subject to such restrictions as may be imposed by the Board, the Propaganda Committee shall discharge all the functions of the Board in regard to such measures as may be undertaken for promoting the sale and increasing the consumption in India and elsewhere of coffee produced in India. (b) Marketing Committee.—Subject to such restrictions as may be imposed by the Board, the Marketing Committee shall discharge all the functions of the Board in regard to the Coffee Marketing Scheme as set forth in the Act and the Rules. (c) Research Committee.—Subject to such restrictions as may be imposed by the Board, the Research Committee shall discharge all the functions of the Board in regard to the promotion of agricultural and technological research in the interest of the coffee industry in India, (d) Executive Committee.—The Executive Committee shall in addition to such functions as have been specifically assigned to it under these rules discharge any other functions of the Board in regard to matters not specifically assigned to the Propaganda, the Marketing or the Research Committee or any other Committees which may be constituted by the Board

19. Power to call, Committee The Chairman of a Committee may, at any time call a meeting of his Committee and shall do so, if a requisition for that purpose is presented to him by at least half the total number of members of the Committee. (2) At least ten clear days before the date of any meeting of a Committee, notice of the time and place of the intended meeting, signed by the Chairman of the Committee or the Secretary to the Board, shall be sent to the Government of India in the Ministry of Commerce and Industry and left or posted to the address of every member of the Committee: Provided that in cases of an emergency, a special meeting may be summoned, at any time, by the Chairman of the Committee who shall inform, in advance the Government of India in the Ministry of Commerce and Industry and of the Committee, of the subject matter for discussion and the reasons for which he considers the matter to be urgent. No ordinary business shall be transacted at such special meeting

20. Quorum.—No business shall be transacted at a meeting of a Committee unless there are present more than half the number of members constituting the Committee including the Chairman, if present

21. Absence from meeting of a Committee.—Any member of a Committee absents himself from two consecutive meetings without leave of the Chairman and, in any case, from three consecutive meetings shall cease to be a member of the Committee

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

23. Presiding over Committee meetings.—The Chairman of a Committee shall preside at every meeting of the Committee at which he is present; if he is absent, THE GAZETTE OF INDIA EXTRAORDINARY the Vice-Chairman, if he is a member of the Committee, or the member nominated by the Chairman shall

preside: but if the Chairman of the Committee or the Vice-Chairmen or the member so nominated is absent, the members at a meeting shall elect one of their number to preside at that meeting

24. Agenda.— (1) The Chairman of a Committee shall cause to be prepared and circulated to the Government of India in the Ministry of Commerce and Industry and among members of the Committee at least seven days before the meeting of the Committee a list of business to be transacted at that meeting. (2) No business not on the list of business shall be taken up without the permission of the Chairman

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

26. Voting.—(1) Every question at a meeting of a Committee shall be decided by a majority of the members present and voting on that question. (2) In the case of an equality of votes, the Chairman or the member presiding shall have a second or casting vote

27. Record of Business A record shall be maintained by the Secretary to the Board of items of business transacted by the Board or Committees thereof and copies of such records shall be submitted to the Central Government.(2) The record of business transacted at every meeting of the Board and of the Committees shall be signed by the Chairman or the member presiding at such meeting. (3) When any business is transacted by circulation of papers, a record of the business so transacted shall be signed by the Chairmen of the Board or the Committee, as the case may be, directing the circulation

28. Travelling and other allowances to members of the Board and its Committees.—A member of the Board other than a Government servant, shall be entitled to draw, in respect of any journey performed by him for the purpose of attending a meeting of the Board or of a duly constituted Committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, travelling allowances and daily allowances in accordance with the rules and orders issued by the Central Government from time to time and at the highest rates admissible to Government of the first grade. 1644 THE GAZETTE OF INDIA EXTRAORDINARY [PART 11 29. Revision.—(1) The Central Government may, for reasons to be recorded in writing, review any decision of the Board or its Committees and pass such order in the matter as it thinks fit. (2) A copy of such order of the Central Government shall thereupon be sent to the Board or the Committee concerned as the case may be, by the Central Government. (3) On receipt of a copy of the order as aforesaid, the Board or the Committee, as the case may be, may make a representation to the Central Government against the said order and the Central Government may, after considering the said representation, either cancel, modify or confirm the order passed by it under sub-rule (1) or take such other action in respect of the matter as may be in the opinion of the Central Government, be just or expedient, having regard to all the circumstances of the case. CHAPTER IV THE BOARD AND ITS ESTABLISHMENT 30. Salaries and allowances.—The salaries, allowances, pension, leave and other contributions, if any, of the Chairman and other officers appointed by the Government under the Act shall be met from the Board's funds

31. Board's The Board gh811, from time to time sanction such other establishment as is not covered by section g and may subject to the approval of the Central Government. lay dov,m the methods of recruitment. the conditions of service, the pay and allowances ot all such officers and servants to be employed by it: Provided tht no post, the maximum salary of which exceeds rupees five hund- red per mensem shall be created or appointment made thereto wlthout the pre- vious sanction of the Central Government: Provided further, that in cage of exigencies, temoorery posts which would need to be created in the interests of the Board and the maximum salary of which posts does not exceed Rs, 500 per mensem, may be created and appoint- ments against them be made by the Chairman, (2) (a) Filtng of posts by direct All vacancies in the rank ot omcers to be filled by direct recruitment shall be advertised and all vacan- Cies in other ranks shall be notified to the Aegional Employment Exchange con- cerned, unless the Chairman for valid reasons to be recorded decides otherwise. (ii) A statement ot all applications received from candidates and recomnenda- tions from the Employment Exchange shall be made and placed before the authorities competent to make appointments under these rules. (Mi) In respect of all vacancies in posts of Class I V, appointments shall be made by the Chief OMcers ot departments cor5cerned, that is. Chief Coffee Market- ing Omcer, Director of Propaganda, Director of Research or the Secretary, as the case may be, from the statement of applicants placed before them. The Chief O-mcer of the department concerned may delegate, with the approval of Chair- man, to any officer of the department such ot his powers under Olis rule eg he may deem Ht. (iv) In respect ot all vacancies in Class Ill, appointments shall be made by the Chairman from the statement of applicants placed before him and he may delegate to the Chief oncer of the department concerned such of his powers under thig rule as he may deem nt. (v) In respect of posts of all omcers, other then those mentioned in section 9 and those whose maximum salary exceeds Rs. 500/- per mensem appointments shall be made by the Cha.irman from the statement of applicants placed before him in with the Executvve Committee. (2) (b). Fitting of posts by promotion.—(i) If a vacancy in respect of posts of Class IV in the Board's establishment is to be filld up by promotion. the cases of all the candidates for promotion shall be examined by the Chief omcer ot the Department concerned and appointments shall be made by him. (ii) If a vacancy In respect df posts of Class Ill in the Board's establishment is to be filled up by promotion, the cases of all the candidates for promotion shall be examined by the Chairman and appointments ghall be made by him. SEC. 8] TRE GAZETTE OF INDIA EXTMODINARY 1643 (III) If a permanent vacancy in respect of sanctioned posts of omcers in the Board's establishment the maxn•num salary of which dou not exceed Rs. 500/- per mensem is to be filled up hy promotion, the cases of all the candidates eligible for promotion shall be examined by the Chairman and appointment made by him. (iv) If a permanent vacancy in respect of sanctioned posts of omcerg in the Board'8 e8tgbllshment, not covered by section 9 or the ma_ximum salary of which exceeds Rs. 500/- per mensem is to be filled by promotion, the cases of all the candidates eligible for promotion shell be examined by the Board and appoint- mentg shall be mede by it, subject to the approvak ot the Central Government. (2) (c). Filling of temporary vacancies in sanctioned posts.—Temporary vacan- clee in respect of sanctioned posts Which are not covered by section 9 shall be filled by Chairman, (3) Postings and Transfers.—Postings and transfers of all omcers and ot the Board shall be made by the Cha•rman who may delegate this power gubject to BUCH conditions as he thinks at to the Chief Coffee Marketing OMcer, the Director of Propoganda, the Director of Research, or the Secretary. (4) Pay, leave and allowances including Travelling The pay, leave and allowances Of all omcerg and servants appomted by the Board shall so fer ag may be, be regulated in accordance with the Fundamental Rules nnå Supple- mentary Rules applicable to Government servants ot the Central Government. The Chairman may grant leave to all such oncers and servants and may also delegate th_fs power to the Chief oncers Of the Departments subject to such con- ditions as he thinks fit. (H) The pay, leave and allowances including travelling allowances of omcers mentioned in section 9 end also permanent Government omcers lent or transferred to me Board shall be regulated by the Central Government. (iii) In the cage of omcers engaged on contract by the Board leave rules ghall be framed by the Board with due re ard to the provisions ot Model Leave terms framed by the Central Government or omcers engaged on contract under their control. (5) Penalties.— (i) The following penalties may for good and suffclent reasons be imposed on the officers and servants ot the Board, narnely;— (a) {b) (c) (d) (e) (g) (h) Warning. Censure. Suspenslon, Recovery of the pay ot the whole or part of pecuniary loss cauæd to Board by negligence or breach of trust. withholding of increment or promotion Including stoppage at emciency bar. Reduction to e lower post of the time scale or to a lower

stage in the time scale. Removal. Dismissal. Cii) The Chairman may impose any Of the said penalties in respect of all omcerg and servants whom he is empowered to appoint and may delegate the powers under this rule to omcers under him to such extent as he deems fit. (iii) The Chairman may impose any of the palaltles specified In sub-clauses (a) and (b) Of clause (i) on other omcers and servants of the Board and also on omcers mentioned in section 9 but shall intimate the action taken by him in thia regard in res ect of the latter to the Government of India in the Ministry of Commerce Industry. (Iv) The Board may impose the penalties specifeed in sub-clauses (c) to (h) of clause (i) in respect Ot the omcers and servants appointed by it and may dele- gate those owers to the Executive Comm.lttee to such extent as It deems Nt subject the con\itions, namely: — (a) that no person shall be removed or dismissed from or reduced in the once, the maximum salary Ot which exceeds Rs. 500/- per mensem without the sanction of the Central Government; 1646 TKE GA.E'ITE OF INDIA EXTRAORDINARY (Parr 11 (b) that no person shall be removed or dismissed or reduced by an rltly lower in rank than the authority empowered to appoint htm gub— 3tantly to the post he holds; (c) that no person shall be removed, dismissed or reduced without giving him reasonable opportunity to show cause against such action; (d) that tlwe powers shall not be exercised respect of omcers mentioned in section 9 and permanent Government omcers transferred to the Board: Provided that no punishment shall be inflicted on Government omcers lent to the Board except by the Government8 concerned. (6) The Board may delegate its powers under this rule to the Executive Committee

CHAPTER V FINANCES AND AccovNrs OF THE BOARD 32. Power to incur Subject to the provisions of the Act and these rules, the Board may incur such expend]ture as it may think 6t and write off losses or waive recoveries upto Rs. 5,000 in any single case: Provided that, save wiül the previous sanction of the Central Government, no expenditure shall be incurred which is in excess of the allotments under any head in the budget sanctioned by the Government: Provided further that the Central Government may by standing instructionnn permit such expenditure generally within limits that may be laid down by ft. (18) The Board may delqate the powers under gub-rule (1) to the Chairman or any of its Committees or Its omcers. (2) Re-appropriations between the heads of expenditure specified in rule 38 shall not be made. save with the previous genetfon of the Central Government or within such limits as may be laid down by it in this behalf. Re-appropriating between sub-heads wthin a head may, however, be made by the Board and the Board may delegate its powers in this behalf to the Chairman or to any of Its Committee to such extent ag It may deem at. (3) Subject to restrictions as may be Imposed by the Board the Executive Committee shall exercise all powers of the Board in regard to the control and disposal Ot the General Fund, and the Marketing Committee shall exercise au powers of the Board In regard to the control and disposal of the Pool Fund; other committees shall also exercise 811 the powers of the Board in regard to the control and disposal of such funds as ere placed by the Board at their d_lsposal

33. Budget The Board shall fn each year prepare a budget for the General Fund for the ensuing financial year and shall submit it for the sanction of the Central Government on or before such date as may in thic behalf be appointed by that Government.(2) me budget shall be in such form the Central Government may direct and shell include a statement of:— (a) the estimated opening balance; (b) the estimated receipts from the Customs duty on RII coffee lev-led under section 11 and the duty of excise levied unde section 12; (c) the estimated receipts from issue of licences and from other sources: (d) the proposed expenditure classified under the following head or such other heeds as the Central Government may direct: (i) administretlon; (ii) measures for promoting the sale and increasing the consumption of coffee (a Y India and (b) outside; (iii) research; (Iv) statistics; (v) Others. sec. sj THE GAZETTE OF INDIA EXTRAORDINARY (3) The proposed expenditure under each head shall be further classiNed under the following sub-heads:— (i) Pay of Omcers. (ii) Pay of establishment. (iii) Allowances, honoraria etc. (iv) Other charges, contingencies etc. (4) Supolementary estimates of expenditure if any, shall be submitted for the sanction of the Centrel Government in such korm a_nd on guch dates as may be directed by it in this behalf. (5) The High Commissioner for India may function Agent of the Board for Dromotion of sale of coffee in the United Kingdom, and may be authorised by the board to incur such expenditure as he deems fit subject to the budget provision for the purpose. He shall be supplied with funds by the Secretary by remittances from the General Fund account. Before the close of each year he shall prepare budget egtimates tor the ensuing year showing the opening balance. recezpts, expenditure and closing

balance and send them to the Secretary for adoption by the Board and submission to the Central Government for approval

34. Accounts of the Board.—The Board shall maintain separate accounts for the General and Pool Funds.

(1) General Fund.—(i) In respect of General Fund relating to each year for which budget estimates are prepared, the Board shall maintain accounts of receipt and expenditure in such form as may be prescribed. (ii) The audited statement of receipts and expenditure for each period together with the auditor's report thereon shall be submitted to the Central Government. (iii) After the close of each year, the High Commissioner shall send to the Secretary an audited account of his receipts and expenditure. The Secretary shall place the statement before the Board and afterwards transmit it to the Central Government. (iv) An abstract of statement of receipts and expenditure shall be published in the Gazette of India. (v) The accounts of the receipts shall be shown under the following heads:— (a) Moneys received under section 13 (1); (b) Moneys received under the proviso to section 32 (vi) The opening balance, if any, shall also be stated as such separately. (vii) Accounts of expenditure shall be shown under the following heads:— (a) (b) (c) (d) (g) Administration of the Board. Measures taken for promoting the cultivation and curing and/or processing of Indian coffee. Measures taken for promoting the sale and increasing the consumption in India and elsewhere of Indian coffee. Measures taken for promoting agricultural and technological research in the interest of coffee industry in India. Statistics. Grants under section 31 (2) (c) and Miscellaneous. (viii) The closing balance of the year shall be shown at the foot of the HC- counts of the expenditure side. (2) Pool Fund.—(i) The accounts of the Pool Fund shall be maintained separately for each season and in such terms as the Board may direct and shall show inter alia— (b) (c) the amount realised on account of the sale of coffee from the surplus pool, the total sum distributed to registered owners, the expenditure on account of curing coffee received in the surplus pool, the amount spent in purchasing coffee from registered owners, THE GAZETTE OF INDIA EXTRAORDINARY [PART 11 (e) amount of the duty of excise paid on coffee that may be released by the Board from the surplus pool for sale in the Indian Market. (t) expenditure on account of the administration of the surplus pool for which budget estimates are prepared and got approved by the Board, and (g) expenditure on account of the marketing of coffee deposited in the surplus pool. (f) The audit report on the accounts of the Pool Fund together with the explanatory notes shall be put up to the Board for approval

35. Deposit of Fund* of the Board in Banks and the investment of such Funds—(1) Money required for current expenditure of the Board with the exception of petty cash and surplus moneys shall be kept in a current account in such Banks as the Central Government may approve. (2) Any funds not required for current expenditure may be placed in deposit account with the Central Government in the Public Account. (3) The placing of money in deposit with the Central Government shall require the sanction of the Chairman or in his absence, of the Vice-Chairman. (4) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against a current account of the Board. (5) The cheque referred to in sub-rule (4) and all orders for making deposits or investments or for the withdrawal of the same or for the disposal in any other manner of the General and Pool Funds of the Board shall be signed— (i) in respect of the General Fund by the Accounts Officer or any other officer duly authorised by the Board in this behalf and countersigned by the Chairman or any other officer duly authorised by him. (ii) in respect of the Pool Fund by the Accounts Officer or any other officer duly authorised by the Board in this behalf and countersigned by the Chairman or any other officer duly authorised by him. (d) The Chairman may also authorise withdrawal from the General or Pool Fund account for opening subsidiary current accounts in Banks approved by the Central Government in the official designation of the Director of Research or any other officer authorised by the Director of Research or other Marketing Officers to enable them to make payments

36. Contracts.—The Board may enter into contracts for the discharge of the duties entrusted to it under the Act provided that every contract which extends over a period of more than five years or involves expenditure in excess of one lakh rupees shall require the previous sanction of the Central Government (2) Board may delegate to the Chairman or any Committee the power to enter into contracts to such extent as it deems fit. (3) The Board may issue subsidiary orders authorising the officers of the Board or its agents to execute contracts specifying the clauses of contracts and conditions subject to which they may be executed. (4) Contracts shall not be binding on the Board unless they are by the Chairman or any officer or agent authorised by the Board with the previous approval of the appropriate authority concerned. (5)

Neither the Chairman nor any member of the Board nor any officer or agent of the Board shall be liable for any assurances or contracts made by the Board but any liability arising under such assurances or contracts shall be discharged from the monies at the disposal of the Board

CHAPTER VI POWERS OF THE BOARD AND rrs 37. Restriction on delegation of powers.—The Board shall not delegate any of the following powers to the committees:— (a) the power to sanction non-recurring expenditure in excess of Rs. 20,000 in respect of any single item and recurring expenditure which involves an outlay of more than Rs. 20,000 in a year; **GAZETTE OF INDIA, EXTRAORDINARY 1649** (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. 6,000 in respect of any single item; (d) the power to reappropriate estimated savings in excess of Rs. 2,500 in the case of any single item; and (e) the power to write off losses or waive recoveries in excess of Rs. 1,000 in any one case

38. Borrowing powers.—The Board shall have power to take money on loan from a bank or banks approved by the Central Government against the securities held by banks on behalf of the Board or against the security of the Pool Fund or on the security of the coffee delivered or treated as delivered for inclusion in the surplus pool for purposes for which it is authorised to expend money from the General Fund or the Pool Fund upon the following conditions namely:— (a) no such loan for the General Fund or the Pool Fund shall be taken without the matter being placed before the Executive Committee of the Board in respect of a loan obtained for the General Fund and before the Marketing Committee of the Board in respect of a loan obtained for the Pool Fund; (b) every such loan shall be repaid within one year from the date on which it was taken; and (c) the total of such loans outstanding at any one time shall not exceed rupees three crores

39. Powers of the Chairman shall be responsible for the proper functioning of the Board and the Committees thereof and the implementation of the decisions arrived at by the Board or by the Committees and the discharge of the duties imposed on him by these rules or under the Act.(2) Chairman shall be the principal executive of the Board and shall exercise administrative control over departments and officers of the Board. (3) Subject to such delegations as may be made by the Chairman to such other officer or officers as may be appointed for the purpose of this rule, the Chairman shall— (a) cause all important papers and matters to be presented to the Board as early as practicable; (b) direct as to the method of carrying out the decisions of the Board; (c) or subject to a resolution by the Board, authorise some other person to grant receipts on behalf of the Board for all monies received under the Act; (d) maintain or cause to be maintained an account of the receipts and expenditure of the Board; and (e) present annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government. (4) Subject to the budget provision, the Chairman may sanction expenditure on contingencies, supplies and services and purchase of articles required for the working of the office of the Board and required for the execution of measures in furtherance of the objects of the Act: Provided that the Chairman may by order in writing delegate any of his powers under this sub-rule to any other officer of the Board. (5) The Chairman shall have, in addition to such powers as may be delegated to him by the Central Government or the Board in accordance with the provisions of the Act:— (i) (a) power to inspect by himself or by any officer of the Board authorised by him in this behalf or to appoint agents for the any registered estate or licensed curing or any place where coffee is stored or expended for sale and to examine the books of any such estate or place; **THE GAZETTE OF INDIA EXTRAORDINARY 11** (b) power to check the composition of blends manufactured by different roasters and to issue certificates to them indicating the composition and to inspect himself, or to authorise his subordinate officers to inspect any roasting establishment and to examine accounts and records of any such establishment and to collect samples of blend for inspection; (ii) power to issue a permit for the re-exportation of Indian coffee into India, (iii) power to issue licences for sale of uncured coffee or in respect of curing establishment, (iv) power to require the Board or any Committee to defer taking action, (a) (b) (c) (d) (e) (g) (h) (v) pending a reference to the Central Government. on any decision on any of the following matters: division of the crop of registered estate on the basis of percentage to be allotted to each estate, administration and marketing of the surplus pool, issue of Licences to registered owners for the sale on the Indian market of uncured coffee, licensing of coffee curing establishments, fixing of a differential scale for valuing coffee, modification or cancellation of contracts, borrowing of any money by the Board and any other matter which in his opinion is not in the public interest or against the

declared policy or intention of the Central Government, such other powers as may be delegated to him by the Board: Provided that all or any of the powers specified in clauses (f) (i) and (h) and sub-clauses (n), (b) (c) and (d) of clause (iv) may be delegated by the Chairman to the Chief Executive Marketing Officer by an order in writing either generally or within a prescribed jurisdiction: Provided further that where a matter has to be disposed of by the Board or a Committee and the decision cannot wait till a meeting of the Board or the appropriate Committee as the case may be is held, or till completion of circulation of papers the Chairman may take a decision himself and after taking decision thereon, keep the members of the Board or the Committee informed of the decision so taken.

CHAPTER VII MARKETING AND LICENSING The 40. Purchasing and selling coffee by the Board in the internal market. Board may, and if so directed by the Central Government shall, purchase coffee from the Indian market, when the Board, or as the case may be, the Central Government is satisfied— (1) that the amount of coffee available for sale in the Indian market exceeds or is likely to exceed the estimated demands of the Indian market to such an extent as to cause or threaten a serious fall in prices; or (ii) that there is not enough coffee of the kind or quality in the surplus pool to enable the Board to fulfil the demands for the export of coffee. (2) The Board may release coffee from the surplus pool for sale in the Indian market in its discretion and shall do (i) when it is satisfied that the amount of coffee available in the internal market according to its kind and quality falls short of the requirements of the Indian market; or (ii) when necessary directions are issued by the Central Government. 83c. S] THE GAZETTE OF INDIA EXTRAORDINARY 41, Appointment of Agents.—The Board may appoint any person or body of persons to act as its agents for all or any of the following purposes, namely:— (e) marketing of coffee in the Indian Market or for export; (b) storing of coffee which is in the custody of the surplus pool; (c) supervising the curing of coffee by licensed curing establishments and the deliveries of cured coffee by such curing establishments surplus pool; (d) collecting of coffee from planters for delivery to the surplus pool; and (e) making payments from the funds received from the Board to planter* on coffee delivered. 42, Remuneration to Agents.—The Board shall fix the remuneration to be granted to the agent for the services rendered by them. 43, Licence for sale of uncured coffee from an estate.—An application for licence for the sale in an estate of uncured coffee under section 24 shall be in Form A. (2) Any licence issued by the Board under the said section may be for the whole amount of coffee covered by internal sale quota of the estate, or for any lower amount and shall be as in Form B. (3) No fee shall be payable for any licences issued under sub-rule (2).

44. Export of The Board may authorise the export of coffee under section 20 under such terms and conditions 89 it may deem fit in any of the following cases, namely:—(i) coffee sold by the Board in pursuance of its functions under section 26; (ii) roasted or prepared coffee; (2) The Board shall issue orders for the export of coffee and permits for re-importation of exported coffee in Forms C and D respectively.

45. Licensing of curing An application by a curing establishment for a licence under section 28 shall be accompanied by a fee of rupee five: Provided that the Board may exempt from payment of licence fee any estate which has its own coffee on the estate.(2) (i) A licence to operate as a curing establishment shall be in Form E and subject to such conditions as may be specified therein. (ii) The licence may be cancelled by the Board if the Board is satisfied after giving the licence that the curing establishment has committed a breach of the provisions of the Act or these rules or of the conditions of the licence. (3) Licences issued by the Board under section 24 or section 28 shall be in numbered forms of which counterfoils shall be maintained by the Board. Such licence shall not be transferrable. (4) Every curing establishment shall at such times or at such intervals as may be required by the Board set up by registered post to the Board statements showing the amount of cured coffee sold by it on behalf of each estate with which it was dealing for the year as defined in clause (n) of section 3 and such other particulars as may be prescribed.

CHAPTER MISCELLANEOUS 46. Return from Registered Every person subject to the provisions of sub-section (1) of section 14 shall, in respect of each estate owned by him, send by registered post to the Board— (i) within one month of the date he became subject a statement showing the amount of coffee produced in each of the three preceding years. (ii) a return in Form F— (a) on the 1st October for estates situated in the Madurai and Tirunelveli districts of the State of Madras, or (b) on the 1st of November for

estates situated elsewhere, THE GA.ZEI*IE OF INDIA EXTRAORDINARY [PART II (iii) a return in Form G before the seventh day and twenty-first day of every month until the entire crop has been picked. the first return being submitted— (a) in October for estates situated in the Madurai and Tirunelveli districts of the State of Madras, and (b) in January for estates situated elsewhere. (2) The Board may require the owner to furnish any additional information as it may consider necessary. (3) The Board may delegate its powers under this rule to the Chairman. (4) Chairman, or the Chief Coffee Marketing Officer or any other officer authorised by the Chairman shall have power to call for any information or statistics in respect of coffee or any product of coffee from: (a) any licensed curing establishment; and (b) any person or firm or company dealing in or having any connection with coffee or any product of coffee

41. Inspection of Records by A registered owner shall be entitled on application to the Board at any time during business hours to inspect entries in so far as they relate to the estate of which he is the owner and in respect of which application is made in any or any of the following books: (a) Register of growers, (b) Register of estates, (c) Pooled Fund account. (2) On payment of such copying charge as may be fixed by the Board, any registered owner shall be entitled to obtain copies of any entries which he is entitled to inspect under sub-rule (1). Such entries shall be certified as correct by an officer of the Board authorised in this behalf

48. Redlegation of powers.—The powers delegated to the Chairman, any Committee or any of its officers may, with the previous approval of the Board, be further delegated by the Chairman or such Committee or officers to any other officers.

FIRST SCHEDULE [Size rule 2 (10)] FORM A CS" rule 43 (D) Form of application for licence for the sale of uncured coffee during the year 195 Name, of Estate Registration No. Name of Owner! Manuget • Postal address (1st August to 31st July) District GAZETTI or INDIA EXTRAORDINARY 'Estimated Crop • Internal of the current season quote • Crop already Bold on • Quantity for "state or reserved which for such sale under the licence granted by the required Board particulars of such licences Area— (1) Parchment (2) Cherry (including strip- Dings and Estate Pounded,) (3) Glenning Robusta— (r) Parchment (2) Cherry (3) Glean-Ing: Other Varieties Total • Figures to be given In Imperial bushel if possible. If figure. are given in any other unit of weight or measure, please add a footnote giving its equivalent pounds avoirdupois or bushels. PIRC*..... S Ignat* re Date.... .. FORM B [See rule 43 No.... Licence for the sale of uncured coffee under section 24 of the Coffee Act. Name of Estate Registration No. Name of Owner! Manager Postal address (1) Parchment (25 Cherry (including Strippings Pounded) (3) Gleanings Robusta— (1) Parchment (2) Cherry (3) Gleanings Other varieties See'.... .. District Quantity authorised Conditions attach— to be sold under, this led to this licence. licence and Estate Certificate if any. Signature Chief Coffee Marketing Officer Boetd Norn .— This licence is not transferable THE GA.ZEI*IE OF INDIA EXTRAORDINARY FORM C [S" rule COFFEE BOARD Order for the export of Coffee from India.. Authority is hereby accorded to for the export of 1k". of Coffee from the port of.. Qrs particulars of this coffee being under -to.... .. 1, Coffee 801d per contract No.... ..

2. Type and Grade This permit shall be valid upto.... Seal.... .. Date. Chief Marketing Officer Bm.rd. FORM D rule 44 Permit for the re-importation of Indian coffee exported under section 21 of the Coffee Act. of (Address) authorised to re-import into India. .CWtJ. of Indian Coffee which exported on.... .. order No.... .. Seal.. . Date.... .. (under the authority of the Coffee Board conveyed in their dated... Chief Coffee Marketing Officer, Coffee Board be completed if the quantity was exported in terms Of the Coffee Act, 1942. FORM E rule 45 (a (i)) COFFEE BOARD Licence for curing establishment, under section 28 of the Act. Name of curer Date. . Address of curer licence is not transferable. Conditions attaching to licence (if any) Chief Coffee Marketing Officer, Board. dAnrr•E or INDIA EXTRAORDINARY FORM F set Rule 46 (i) Crop Estimate (To be returned by October and Travancore and by 18th November Name of Estate and Elevation Registration No. Name of owner and Manager (if any with Postal Address) in the case Of Madurai, by all others.) District in which the Crop is to be taken, or . tons as convenient) (If state number lbs. per (a) Arabia.... (b) Robusta... (c) Other varieties PLANTED AREA (a) Arabia... (b) Robusta (c) Other varieties..... N.B.—Please state the quantity required for: (a) Domestic consumption-Bushels/Cwt... My family consumption (b) Seed purposes make.... Date.... FORM G BEARING AREA .. -members Bushels/Cwts. Signature. rule 46 (i) (HDI Please State the period for which the Return is made (i.e., 1-8-193 to. COFFEE BOARD Monthly crop return Monthly Crop Return to be furnished by Owner under Section 23 of the Coffee Market Expansion Act, on

the of every month. The first return of the year (August to July) shall be furnished on the 18th day of November in respect of estates in the Madurai and Tirunelveli Districts of the State of Madras and on the 1st of January in respect of others. (2) The returns of the year shall continue to be furnished until the entire crop has been picked and the gleanings collected, the last return of the year 'Final'. (3) Each return shall relate to the period from the 1st of August to the date of submission; i.e., total crop to date. (4) FRUIT means what is picked for pulping; CHERRY means the in its natural state. GAZETTE OR EXTRAORDINARY 1656 ROBUSTA.. Name of Estate Registration No. Name of Owner and Manager (if any) with Postal Address Name of Crop picked and collected to date (a) ARABICA 1 Fruit 2 Cherry 3 Gleaning* Total Arabica ROBUSTA 2 Cherry 3 Gleaning 8 Tons ROBUSTA . Crop estimate Revised up to date . tmg/cwt 8, District Crop despatched to Pool Agent Crop delivered to Collecting Agency or Pool Depot. (a) Figures to be shown in Cherry Boxes or any other unit together with their equivalent in Imperial Bushels or cwt. or tons as the case may be. (b) Figures to be given in struck Imperial Bushels, if possible but if not possible in any other unit together with their equivalents in pounds Avoirdupois or Tons. Date.... SECOND SCHEDULE [See rule 3(2)] Provisions relating to elections Signature. Constituencies.—The undermentioned constituencies shall be formed and they shall be entitled to elect the number of members noted each to the Board: Madras growers' constituency Mysore State—Large growers' constituency Coorg State—Large growers' constituency 2 2 6 The large growers' constituency In R State shall consist of every large grower registered in that State as provided under section 14

2. Voting.—The persons in whose names the estates are registered shall be voters: Provided where an estate is registered in the names of more than one the registered owners shall nominate one among them to vote their Provided further where an estate is registered in the name of a Company the Company shall nominate its Chairman, Managing Director, partner or other shareholders to vote on behalf of the Company. Sec. 8] GAZETTE OF INDIA ATMORDINANCE 8. Electoral Rolls.—The Secretary shall prepare electoral rolls for each constituency every two years on the basis of voters therein as on the 1st August of the preceding year and shall cause them to be published in such manner at the office of the Board and at such other places as the Chairman may decide. Objections, if any, from the electors must be submitted to the Returning Officer within 10 days of the publication of the electoral roll. If any dispute arises whether any person is entitled to be an elector in a constituency the Secretary shall report the matter to the Chairman whose decision thereon shall be final. No election to the Board conducted under these rules shall be invalid by reason of any vacancy among the number of persons entitled to vote at such election

4. Franchise.—Every voter in each constituency shall cast one vote for each person to be elected irrespective of the area of his estate or estates

5. Returning Officer.—The Chairman of the Board shall be the Returning Officer for the election of representatives of coffee growers on the Board and shall, subject to the provisions of the Act and its Rules, do all things necessary for the conduct of elections

6. Notification of vacancies.—If any vacancy occurs or is about to occur by expiry of time or by any other reason the Chairman shall issue a notification stating the nature of the election, the last date for presentation of nomination papers, the time and place for scrutiny of the nominations. Each elector shall be at liberty to nominate a person on his electoral roll to fill the vacancy. Every nomination shall be made by an elector in writing and shall be seconded in writing by another and every such nomination shall be accompanied by the consent in writing of the nominee agreeing to serve on the Board, if elected, and must reach the Returning Officer not later than the notified date which shall be not less than 10 days after the publication of the notification of the vacancies. No candidate for election to the Board shall stand for election at the same time more than one constituency

7. Scrutiny of nomination papers.—All nomination papers shall be scrutinised by the Returning Officer on the date and hour and at the place appointed and notified, and the names of the candidates whose nomination papers have been declared valid shall be published on the same day by affixing a copy thereof on the Notice Board at the office of the Returning Officer. Appeals, if any, from candidates whose nominations have not been held valid must be made within 7 days of the declaration of valid nominations and those be placed before the Returning Officer whose decision shall be final

8. Nominations not exceeding the vacancies.—If the number of valid nominations do not exceed the number of vacancies to be filled, the Returning Officer declare such nominees to be elected

9. Procedure for election.—If the number of valid nominations exceeds the number of vacancies to be filled, the Returning Officer shall forward to each elector through the post (i) the numbered declaration paper (to declare that the voter is a member of the constituency concerned and has signed no other voting paper for that election for that constituency), (ii) a voting paper on which the names of the Candidates duly nominated shall be arranged in alphabetical order and which shall bear on it directions to the voter, the initials of the Returning Officer and the date of posting, (iii) a voting paper cover and an envelope addressed to the Returning Officer and (iv) the letter of intimation stating the number of vacancies, the date and hour fixed for the poll and the date and hour fixed for the scrutiny and counting of votes. The papers shall be forwarded to the elector entered against the name of the elector in the electoral roll or, if the elector has since the preparation of the roll changed his address and intimated the fact in writing to the Returning Officer not later than 14 days before the date fixed for the despatch of the voting papers, to the address so given. (1) The date fixed for the poll shall not be less than 10 days from the date of the posting of the voting papers. (2) The elector shall, after signing the declaration paper and the voting paper in accordance with the directions given in the letter of intimation, enclose the voting paper in the voting paper cover and stick it and enclose this GAZETTE or INDIA EXTRAORDINARY cover and the declaration paper in the envelope addressed to the Returning Officer and send the envelope by registered post so as to reach the Returning Officer not later than the date and the latest hour fixed for the poll, or, at his option, either in person or by an agent, deposit the envelope addressed to the Returning Officer in the ballot box provided at the office of the Returning Officer for the purpose on the date and during the hours fixed for the poll. (3) If an elector is incapacitated from blindness or other physical from voting in the manner prescribed, it shall be competent for him to record his vote by the hand of any of the officers or other persons empowered to attest his declaration; and such officer or other persons shall, on the declaration paper certify the incapacity and attest the fact of his having been requested by elector to mark the voting paper for him and of its having been so marked by him in the presence of the elector. The following officers are to attest the votes of incapacitated (i) Magistrates (as defined in the Code of Criminal Procedure), (ii) District Registrars, (iii) Sub-Registrar, (iv) Assistant Commissioner • Marketing Officers. (5) An elector who has not received his voting and other connected papers sent by post or whose papers before their despatch back to the Returning Officer have been inadvertently spoilt in such manner that they cannot be conveniently used, or who has lost his papers, may on his transmitting to the Returning Officer a declaration to that effect signed by himself require the Returning Officer to send him new papers in place of those not received, spoilt or lost; and, if the papers have been spoilt the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case when new papers are issued, a mark shall be placed against the number of the elector's name in the register (electoral roll) to denote that new papers have been issued in place of those not received, spoilt or lost. (6) The Returning Officer shall deposit all the covers containing declaration and voting papers received by him in a safe in his office until the time fixed for the scrutiny and counting of the votes. (7) The Returning Officer shall appoint two officers of the Board to act with him in the scrutiny and counting of the votes. Any candidate or his duly appointed agent may be present at the time of such scrutiny and counting of vote. (8) On the day and at the hour appointed for the scrutiny and counting of vote, the envelopes received from the electors except those which have not either been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll or deposited in the ballot box provided for the purpose on the day and during the hours fixed for the poll, shall be arranged and counted. They shall then be opened and the declaration papers and the voting paper covers examined. The voting paper covers other than those rejected hereunder shall next be opened and the voting papers taken out and mixed together. The voting papers shall then be scrutinised and the valid votes counted. (9) A voting paper cover shall be rejected if (i) the envelope contains no declaration paper outside the voting paper cover, or (ii) the declaration paper is not the one sent by the Returning Officer, or (iii) the declaration or attestation is not in accordance with the rules, or (iv) the voting paper is placed outside the voting paper cover, or (v) more than one declaration paper or cover containing voting paper have been enclosed in one and the same envelope. In the case of rejection, the word 'rejected' shall be endorsed on the voting paper cover or the declaration paper as the case may be. (10) A voting paper shall be invalid if— (i) it does not bear the Returning Officer's initials, or (ii) more

votes than the number of persons to be elected are recorded on it. (3) XXTRAORDINARY (Mi) no vote is recorded thereon, or (iv) a voter signs his name or writes any word or makes any mark on by which it becomes recognisable, or (V) It is void for uncertainty. On every paper 80 rejected. the Returning Officer shall endorse the word 'invalid' and such papers shall be kept in a separate parcel. 10. Number of votes to be recorded.—Only one vote shall be recorded for any one candidate

11. Decision regarding validity.—The decision of the Returning Officer shall be final as to the validity of any votes recorded

12. Declaration of results.—After the scrutiny is completed and the votes have been counted a statement shall be prepared showing— (a) the names of the candidates for whom valid votes have been (b) the total number of votes given; (c) the number of valid votes given for each candidate; and (d) the name of the candidate elected. (2) Candidates who have received largest number of votes shall be deemed to be elected up to the number of vacancies available provided that in even of two or more candidates obtaining equal number of votes the final election shall be made by drawing lots in such manner as the Returning Officer may determine. (3) The Returning officer shall communicate the name of the candidate declared elected along with the above statement to the Central Government. The results of all elections shall be published in the Gazette of India and shall have effect from the date fixed in such notification

13. Preservation of -voting paper.—The voting papers, together with the declaration papers, if any, of all elections shall be preserved in the Board's office for 6 months after the results are duly notified.

DECLARATION PAPER Serial No.. Elector's Name and the number in Electoral roll.... ..
Elector's declaration I (name in full and designation) declare that I am an elector for the election of member (e) by the (name of the constituency).. paper at this election. Date. Station... .. to the Coffee Board and have signed other voting. Signature Address. Face Of voting paper cover Voting Paper 1660 THE GAZETTE OF INDIA EXTRAORDINARY Face of Envelope By Registered Post Election to the Coffee Board by . Election.... .. Face of Voting Paper Names of candidate(s) The Returning Officer. (Address) Voting Paper Mark showing the voter's choice (Please see on the back) (Back of Voting paper)

(1) The number of vacancies to be filled 18 two. (2) Place a cross mark thus X against the name (8) of the candidate(s) for whom you wish to vote. (3) A voting paper will be invalid if— (a) it does not bear the Returning Officer's initials, or (b) more than the number of persons to be elected are recorded on it, or (c) no vote is recorded thereon, or (d) a voter signs his name or writes any word or makes any mark on it, by which it becomes recognisable, or (e) it is void for uncertainty. Letter of Intimation Sir, 1. The person(s) whose name(s) are printed on the voting paper sent here- with have been nominated as candidates for election to the Coffee Board. Should you desire to Vote at this election, I have to request that you will— (a) fill up and sign the declaration paper; (b) mark your vote, in the column provided for the purpose in the voting paper, as directed on the voting paper; (c) enclose the voting paper in the small cover and stick it; and (d) put the smaller cover and the declaration paper in the envelope addressed to me and return the same to me either by registered post, so as to reach me not later than.... . the... . P.M. on... . 19 or deposit, or cause to be deposited. the ...day of . envelope addressed to me in the box provided for the purpose . between... .. A.M. and.... P.M. and on the same day • 2, Voting papers will be rejected— (a) (b) (0 if the envelope the voting paper cover and declaration not either (1) sent by registered post and received not later than the hour fixed for the closing of the poll, or (ii) deposited in the ballot box on the date and between the hours fixed; if the outer envelope contains no declaration paper outside the smaller cover; If the voting paper is not enclosed in the •mailer cover; if more than one declaration paper or cover (Mailing voting paper have been enclosed in one and the same envelope; If the declaration or attestation is not in order; if the declaration paper is not the one sent by the Returning Officer to the voter; and If the voting paper is invalid. THE GAZETTE OF INDIA EXTRAORDINARY 3. A voting paper will be invalid (a) if it does not bear the Returning Officer's initials; or 1661 (b) a voter signs his name or writes any word or makes any mark by which it becomes recognisable; or (c) no vote is recorded on it; or (d) more votes than the number of persons to be elected are recorded on it; or (e) it is void for uncertainty

4. Declaration papers need not be attested, but in case of a voter who is incapacitated from blindness or other physical cause from voting In the manner prescribed, it shall be competent for him to record his vote by the hand of any of the following persons; Magistrates (as defined in the Code of Criminal Procedure); District Registrars; Sub-Registrars and Assistant Coffee Marketing Officers

3. Such persons shall, on the declaration paper, certify the Incapacity and attest the fact of his having been requested by the voter to mark the voting paper for him and of it having been so marked by him in the presence of the voter

8. If a voter Inadvertently spoils a B voting paper, he can return it to the Returning Officer who will, it satisfied of such inadvertence. issue to him another paper. the scrutiny and counting of votes will begin on. Returning Officer. Station.... .., Dated.... .. . [No. 13(1) Plent/5B.1 B.E.O. 1867.—In pursuance of sub-section (2) (I) of Section 4 of the Conn Act, 1942 (VII of 1942), and In supersession Of this Ministry's notification No. 18(8) Plant/ 54 dated the 22nd February. 1955, the Central Government hereby appoints Sri K. Srinivasan, I.A.S., formerly Chief Coffee Marketing Officer, Indian Coffee Board, as Chairman of the Coffee Board, Bangalore effect from the forenoon of 1st August. 1955. [No. 18(8) Plant/55.1 Marie; expansion Act, 1942 (VII of 1942), as amended 11 of the Coffee Act, 1954 (50 of 1954). read with section 22 of the General Clauses Act, 1897 (X of 1897), the Central Government hereby fixes, with effect from the 18th day of August, 1955, two rupees and eight annas per hundred weight the rate of duty of customs on coffee under the said section 11. S.B.O. 1889.—In exercise of the powers conferred by section 12 of the Coffee Market Expansion Act. 1942 (VII of 1942), as amended by the Coffee Market Expansion Act 1954 (60 of 1954), read with section 22 of the General Clauses Act. 1897 (X of 1897), the Central Government hereby fixes, with effect from the 18th day of August, 1955, two rupees and eight annas per hundred-weight as the rate of the duty of excise on coffee under the said section 12. ENO. P. C. ALEXANDER, Dy. secy. PRINTED IN BY MANAGER, Govt. of INDIA PRX8S, now AND PUBLISHED BY THE MANAGER or

