THE GAZETTE OF INDIA
EXTRAORDINARY

PART-II, Section 3, Sub-section (ii)

PUBLISHED BY AUTHORITY

MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
ORDER

New Delhi, Dated 1st January, 2003

S.O.1 (E) - In exercise of the powers conferred by sub-sections (3) and (5) of section of 30 of the Tea Act, 1953 (29 of 1953) and in supersession of The Tea (Marketing) Control Order, 1984, except as respect things done or omitted to have been done before such supersession, the Central Government hereby makes the following Order, namely:-

1. Short title and Commencement -(1) This order may be called the Tea (Marketing) Control Order, 2003.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions - In this Order, unless the context otherwise requires, -

(a) "Act" means the Tea Act, 1953;

(b) "Board" means the Tea Board established under section 4 of the Act;

(c) "Chairman" means the Chairman of the Tea Board and includes any person exercising for the time being the powers of the Chairman;

(d) "Calendar Year" means a year starting from 1st day of January and ending on 31st day of December of that year.

(e) "Form" means a form appended to this Order;

(f) "Licence" means a licence granted under paragraph 12 of this Order;

(g) "Licensee" means a holder of a licence granted under this Order;

(h) "Licensing Authority" means the Chairman;

(i) **** "Manufacturer" means any persons, firm, company, corporate body, co-operative society etc., who manufactures tea made from the leaves of Camellia Sinensis (L) O Kuntze including green tea and instant tea in a factory, which includes Estate Factories, Bought Leaf Factories and Co-operative Factories , or who produces value added products commercially known as tea viz., packet tea, tea bags, flavoured tea and quick brewing black tea;**

(j) "Organiser of tea auction" means any one including any person, corporate body, co-operative society or association, whether registered or not under whose control or auspices public auctions of tea take place ;

(k) "Registering authority" means the Chairman;

(l) "Registered manufacturer" means a manufacturer registered under paragraph 3 of this Order;

(m) **** "Buyer" means any person, firm, company, corporate body, co-operative society etc., including a consignee or commission agent, who receives tea by way of stock transfer from the manufacturer, with a place of business in tea in India, engaged in purchasing or procuring tea either tea either from public tea auctions or directly from manufacturers of tea but excludes those who buy only instant tea and other value added products of tea viz., tea bags, packet tea, flavoured tea, quick brewing black tea etc., and also excludes the secondary buyers who do not source their teas either from auctions or from manufacturers ;**

(n) "Tea leaf" means the leaf of the plant Camellia Sinensis (L) O. Kuntze and includes tender stems and buds of the plant Camellia Sinensis (L) O. Kuntze;

(o) "Tea grower" means any person, firm, company or body corporate, or cooperative society engaged in cultivation of tea plants;

(p) "Plantation district" means a distinct geographical area where tea plants are cultivated on a large scale as defined and recognised by the Tea Board;

(q) "Bought leaf tea factory" means a tea factory which sources not less than two-thirds of its tea leaf requirement from other tea growers during any calendar year for the purpose of manufacture of tea;

(r) **** "Packet tea" means tea packed in unit packs or containers of type as are ordinarily put up for the purpose of retail sale under a brand**

name and includes packages known as 'Jota' of two packs packed together in which the net weight of tea contained in the basic pack unit does not exceed one kilogram and excludes packing of loose tea in the ordinary course of retail business of the retailer.

(s) "Tea bag" means packet containing tea in bags made of filter-paper, nylon net and/or any other acceptable material conforming to international norms and standards, for brewing of tea liquor by direct immersion of such bag in hot or cold water, and commercially known as tea bag;

(t) "Green tea" means the variety of manufactured tea commercially known as green tea;

(u) "Quick brewing black tea" means a product known commercially as tea, containing not less than 20% (maximum) extract and/or concentrate of tea with not more than 80% (maximum) manufactured tea in black form and conforming to the Prevention of Food Adulteration Act, 1954 specifications used for brewing tea liquor in hot or cold water;

(v) "Instant tea" means a product derived from the acquous extract of tea, tea waste and tea leaf and commercially known as instant tea;

(w) "Registered buyer" means a buyer registered under paragraph 4 of this Order;

(x) " Broker" means any person, firm, company, corporate body, cooperative society etc., engaged in the business of brokering in tea through the licensed auction systems and is licensed under paragraphs 10,11,12,14 and 15 of this Order;

(y) "Made Tea" means tea which conforms to specifications for the tea as laid down under the Prevention of Food Adulteration Act , 1954 (Act 37 of 1954) or any other law for the time being in force.

3. Registration of manufacturer and/or producer of tea - (1) No manufacturer shall carry on the activities of manufacturing tea after **ninety*** days of the publication of this order in the Official Gazette except under a valid registration obtained under this Order in respect of each factory owned or controlled by him:

Provided that the manufacturer who has already obtained registration under the provision of Tea (Marketing) Control Order, 1984 shall be deemed to have been registered under the provision of this Order and they should intimate the Tea Board accordingly.

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(2) ****Every manufacturer** desiring to obtain a certificate of registration shall make an application to the registering authority in Form "A".

(3) The registering authority may, for reasons to be recorded in writing, refuse to grant a registration to an applicant and shall furnish him with a copy of the order so passed:

Provided that before passing an order of refusal, an opportunity of being heard shall also be granted to the applicant.

(4) Where an application for registration is not refused under sub-paragraph (3), the registering authority shall grant the applicant a certificate of registration within fifteen working days from the date of receipt of the application in Form 'B'.

4. **Registration of buyer of tea** -(1) No **buyer**** shall carry on the activities of buying tea from any public tea auction licensed by Tea Board or directly from manufacturer of tea after **ninety* days** of the publication of this order in the Official Gazette except under a valid registration obtained under this Order.

(2) Every **buyer** desiring to obtain Certificate of registration shall make an application to the Registering Authority in Form 'C'.

(3) The Registering Authority may for reasons to be recorded in writing refuse to grant registration to an applicant and shall furnish him with a copy of the Order so passed:

Provided that before passing an order of refusal, an opportunity of being heard shall also be granted to the applicant.

(4) Where an application for registration is not refused under Sub-paragraph (3), the Registering Authority shall grant the applicant a Certificate of Registration in Form 'D' within seven working days of receipt of application.

5. **Cancellation/Suspension of Registration of manufacturer** -(1) The registering authority may, after giving the manufacturer an opportunity of being heard, cancel or suspend the registration on any of the one or more of the following grounds, namely :-

(a) Closure of business by the manufacturer;

(b) Misrepresentation of any material fact by the manufacturers at the time of obtaining registration or subsequently;

(c) Violation by the manufacturer of any of the provisions of the Act or this Order;

(d) Failure to carry out any of the directions issued by the registering authority;

(e) If the Registering Authority after causing due enquiry has reason to believe that the manufacturer is involved in the adulteration of tea with tea waste and/or any matter and that the tea does not conform to the specifications laid down under the Prevention of Food Adulteration Act, 1954 or any other law for the time being in force;

(f) If the Registering Authority has reason to believe that the factory building, machinery or equipment or manner of operation of any tea factory is not of a standard and capacity conducive to the manufacture of made tea conforming to the norms and standards, applicable from time to time.

(g) ****If the Registering Authority has reason to believe that the manufacturer is indulging in unfair trade practices which may adversely affect the marketing system including the public tea auction system.**

(2) Every order suspending/cancelling a registration shall be in writing and shall specify the reasons for such suspension/cancellation and shall be communicated to the registered manufacturer forthwith or within seven working days of the passing of such order.

6. **Cancellation/ Suspension of registration of Buyer** - (1) The Registering Authority may, after giving the buyer an opportunity of being heard, cancel or suspend the Registration on any one or more of the following grounds, namely :-

(a) Closure of the business of the buyer:

(b) Misrepresentation of any material fact by buyer at the time of obtaining registration or subsequently;

(c) Violation of any of the provisions of the Act or this Order;

(d) Failure to carry out any direction of Registering Authority;

(e) If the Registering Authority has reason to believe that the buyer is indulging in unfair trade practices which may adversely affect the marketing system including the public tea auction system.

(2) Every order suspending/cancelling a registration shall be in writing and shall specify the reasons for such suspension/cancellation and shall be communicated to the registered buyer forthwith or within seven working days of the passing of such order.

7. **Filing of Returns :

(1) Every registered manufacturer shall furnish to the Registering Authority a monthly return in Form 'E' or such other information as the Registering Authority may, by special or general order, call for from time to time.

(2) Every registered buyer shall furnish to the Registering Authority a quarterly return in Form 'F' or such other information as the Registering Authority may, by special or general order, call for from time to time.

8. **Maintenance of Records** – (1) Every Registered Manufacturer engaged in purchasing tea leaves from other growers shall maintain records as determined by the Registering Authority from time to time and shall furnish to the officer authorised by Registering Authority all such information as the authorised officer may by special or general order call for from time to time.

(2) Every licensed broker/organiser of auction shall furnish to the Licensing Authority any return in the manner as may be specified and such other information as the Licensing Authority may by special or general order call for from time to time.

9**. Organiser of Tea Auction to obtain a licence –** No organiser of tea auction shall carry on the business of organising, holding or conducting public tea auctions under its control or auspices except under a licence obtained in accordance with the provisions of this Order:

Provided that the organiser of the auction who has already obtained licence under the provisions of the Tea (Marketing) Control Order, 1984 shall be deemed to have obtained licence under the provisions of this Order and they shall intimate the Tea Board accordingly.

10. **Broker in tea Auction to obtain licence -** No person shall carry on the business of a broker of tea in public tea auctions except under a licence obtained in accordance with the provisions of this Order:

Provided that the broker who has already obtained licence under the provisions of the Tea (Marketing) Control Order, 1984 shall be deemed to have obtained licence under the provisions of this Order and they shall intimate the Tea Board accordingly.

11. **Application for Licence -** Every application for a licence referred to in paragraphs 9 and 10 shall be submitted to the Licensing Authority in Form 'G'.

12**. Grant or Refusal of licence -** (1)The Licensing Authority may, for reasons to be recorded in writing, refuse to issue a licence to an applicant and shall furnish him with a copy of the order so passed:

Provided that before passing an order of refusal, an opportunity of being heard shall also be granted to the applicant.

(2) Where an application for licence is not refused under paragraph 12(1) above, the Licensing Authority shall issue him a licence in Form 'H'.

(3) Every applicant for a licence for carrying on the business of an organiser of public tea auction shall, along with his application for a licence submit to the Licensing Authority :-

(i) the rules (by whatever name called) which would govern the activities/function of the organiser;
(ii) the names, addresses of the members of its managing committee (by whatever name called);
(iii) the names, designations and addresses of persons authorised to authenticate the decisions of such managing committee;
(iv) the auction rules, (by whatever name called), which would govern the conduct of such public tea auctions held under its control or auspices;
(v) the names and addresses of the brokers associated with such public tea auctions; and
(vi) such other particulars as the Licensing Authority may, from time to time, call for.

13. **Issue of direction- (1)** The Licensing Authority at any time during the valid period of licence may issue directions to the organiser of tea auctions/brokers either individually or collectively :-

(a) if the licensing authority has reason to believe that an organiser of tea auction is indulging in or is likely to indulge in malpractices in the conduct of or in relation to the public tea auction held under its control or auspices or;
(b) for improving the efficiency of the public tea auction system or;
(c) to bring about uniformity in the procedure of public tea auctions held in various parts of the country,

and on receipt of such directions, every organiser of tea auction shall carry out the directions within a period of thirty days from the date of receipt thereof.

(2) Notwithstanding any provision contained in the rules and regulations of the licensed organiser, the directions issued by the Licensing Authority from time to time shall supersede such rules and regulations with immediate effect or within the time as may be specified.

(3) The Registering Authority may from time to time issue directions to registered manufacturers, registered buyers either individually or collectively on any matter connected with the business which are relevant for purposes of carrying out the objects of this order and on receipt of such directions, every registered manufacturer/registered buyer shall carry out the directions within a period as specified by the Registering Authority from time to time.

14**. Period of validity of a licence -** A licence issued under this Order shall, unless cancelled before, expire on the 31st day of December of the calendar year.

15**. Renewal of licence -** (1) Every application for renewal thereof by broker or organiser of auctions shall be submitted to the Licensing Authority in Form 'I';

(2) The Licensing Authority may, on an application made to it and subject to the other provisions of this Order, renew a licence and issue a certificate in Form 'J';

(3) Every application for renewal of a licence shall be submitted to the licensing authority not less than thirty days before the date of expiry of the licence except in cases where the licence has been issued on or after 1st day of December of that calendar year.

16. **Signing of licence /Registration -** Every licence issued or renewed and every certificate of registration granted under this Order shall be signed by the Licensing Authority or the Registering Authority, as the case may be, or by any officer of the Board specifically authorised to do so by the Licensing Authority/Registering Authority.

17**. **Fees: Every application for the issue of a licence or registration or renewal thereof shall be accompanied by fees as specified below:**

For issue of licence	**Rs.2500/-**
For registration	**Rs.2500/-**
For renewal of licence	**Rs.500/-**

Provided that a manufacturer with more than one manufacturing unit shall submit separate application for registration for each manufacturing unit :

Provided further that a buyer having more than one office or branch shall submit only one application indicating addresses of all its offices or branches:

Provided also that registration fee of Rs.2,500/- only is to be paid by a single applicant irrespective of the number of applications submitted by him for registration;

Provided also that any manufacturer or buyer or auction organizer or broker who has obtained or applied for a registration or licence before the commencement of this Order, would be entitled to refund of the amount paid over and above what is now being specified under this Order.

18. **Conditions of licence-** (1) Every licence issued or renewed under this Order shall be deemed to have been granted or renewed in favour of the person named therein and no licence shall be sold or otherwise transferred;

(2) If a licensee enters into a partnership with regard to the business covered by his licence, he shall bring the matter to the notice of the Licensing Authority within fifteen days of entering into such partnership and shall get the licence suitably amended;

(3) Where a partnership is entered into, all the partners in the firm as well as the original licensee shall be bound by the conditions of the licence;

(4) If a partnership is dissolved, every person who is a partner immediately before the date of such dissolution shall send a report of such dissolution to the Licensing Authority within fifteen days thereof;

(5) Every licensee shall produce his licence for inspection on demand by an officer of the Board duly authorised by the Licensing Authority in this behalf;

(6) If, during the currency of a licence, the licensee intends to take any action which calls for modifications in the particulars furnished in the application on the basis of which the licence for the time being in force has been issued, he shall bring to the notice of the Licensing Authority at least fifteen days in advance and get his licence suitably amended and such amendment to the licence shall be made free of any charge and the amended licence shall be valid for the rest of the period covered by the licence;

(7) No owner of a warehouse licensed under the Tea Warehousing (Licensing) Order, 1989 shall enter into any transaction with;

(a) a manufacturer/buyer who is required to be registered under this Order, but has not so registered, or whose registration has ceased to be valid ; or

(b) a broker or organiser of a public tea auction who is required to obtain a licence under this Order but has not done so, or whose licence has ceased to be valid.

(8) No broker shall enter into any transaction in tea with any manufacturer/buyer required to be registered under this Order but has not so registered, or whose registration has ceased to be valid;

(9) No broker shall participate in a public tea auction conducted by or held under the control or auspices of an organiser of tea auction who under the provisions of this Order, is required to obtain a licence but has not obtained such a licence, or whose licence has ceased to be valid;

(10) No organiser of public tea auction shall allow teas from any unregistered manufacturer to be put in public tea auction held under its control or auspices or allow any unlicensed broker/unregistered buyer to carry on the business of public tea auctions held under its control or auspices.

19. Cancellation/Suspension of a Licence - (1) The Licensing Authority may, after giving a licensee (organiser of tea auction/broker) an opportunity of being heard, cancel or suspend a licence on any one or more of the following grounds, namely :-

(a) Closure of business by the broker;
(b) Willful refusal to conduct any auction sale by the organiser of auction;
(c) Misrepresentation of any material fact by the applicant at the time of obtaining licence or subsequently;
(d) Violation by the Licensee of any of the provisions of the Act or of this Order;
(e) Failure to carry out the direction of Licensing Authority with respect to the rules for conduct of auction within the period as specified by the Licensing Authority;
(f) Failure to carry out the direction of Licensing Authority with respect to the rules and regulations of the auction organiser in relation to its membership, composition of governing body, election of members of governing body, voting procedure and voting rights of the members, financial and administrative matters etc.;
(g) If the Licensing Authority has reason to believe that the building or equipment or manner of operation of any brokering firm is not of the standard conforming to the guidelines/norms stipulated by the Licensing Authority**.**

(2) Every Order suspending/cancelling a licence shall be in writing and shall specify the reasons for such suspension/cancellation and shall be communicated to the licensee forthwith or within seven working days of the passing of such Order.

20**. Maintenance, Submission of accounts, etc. by licensee** -The Registering Authority/Licensing Authority may, from time to time issue directions to any registered manufacturer, registered buyer**,** licensed organiser of tea auctions, broker as regards:-

(a) the maintenance of records of production, purchase/sale, stocks, exports or other matters connected with his business which are relevant for purposes of carrying out the objects of this Order;
(b) the form and manner in which such records shall be maintained ; and
(c) the submission for inspection to the officer concerned such books of account relating to his business as may be specified in the direction.

21. **Sale of tea through public auctions –** (1) Every registered manufacturer, as specified by a direction of the Registering Authority, shall, from the date of commencement of this

Order, sell such percentage as may be specified from time to time by the Registering Authority, of tea manufactured by him in a calendar year or such period as may be specified in the direction, through public tea auctions in India, held under the control or auspices of organisers of tea auction licensed to do so under the provisions of this Order:

Provided that such percentage is specified by the registering authority with the prior approval of the Central Government :

** **(Delet ed**)

(2) Any tea marketed directly by the manufacturer in the form of :-

(a) packet tea ;
(b) instant tea ;
(c) tea bags ;
(d) aromatic tea ;
(e) green tea ;
(f) tea exported *directly by manufacturers except tea sold through auctions abroad;*
(g) Quick brewing black tea ; and
(h) Organic tea;

Shall be excluded while computing the total production for purpose of this Paragraph of this Order.

22. **Purchase of Tea through public tea auction by Buyer –** (1**) ** Every registered buyer , as specified by a direction of the Registering Authority, shall, on and from the date of commencement of this Order, buy such percentage of his total purchase of tea, as may be directed from time to time by the Registering Authority in any calendar yea, or such period, as may be specified in the direction, through public tea auctions in India, held under the control or auspices of the organizers of tea auctions licensed to do so under the provision of this Order;**

Provided that such percentage is specified by the Registering Authority with the prior approval of the Central Government:

(2) Any tea purchased directly by the buyer in the form of :-

(a) packet tea ;
(b) instant tea ;
(c) tea bags ;
(d) aromatic tea ;
(e) green tea ;
(f) Quick brewing black tea ; and
(g) Organic tea;

Shall be excluded while computing the total purchase for purpose of this Paragraph of this Order.

23. **Sale of Tea outside public auction - ** Every registered manufacturer who sells tea outside the public tea auction shall do so only to registered buyers or through his own retail outlets or branches directly to consumers or by way of direct exports and details of such sale shall be intimated to the Registering Authority through the monthly returns in Form "E";**

24**. Appeal -** Any person aggrieved by an order :-

(a) refusing the grant or cancelling/suspending of registration;
(b) refusing the issue or renewal of a licence; or
(c) cancelling/suspending a licence,

may within a period of three months from the date of receipt of such Order, appeal to the Central Government and the Central Government may, after making such inquiry as it may think fit, confirm, reverse or modify such Order.

25**. Constitution of committee on tea marketing -******

Deleted

26. **Service of orders and directions –** (1) Any order or direction made by the Registering Authority or Licensing Authority under this Order shall either be notified in the Official Gazette or be served on individual/Company or any other entity viz., organiser of tea auction, tea broker, manufacturer of tea , buyer of tea etc.;

(2) In case, an Order or direction is served on an individual/Company or any other entity, it shall be by delivering or tendering it to that individual/Company or any other entity;
(3) In case, if it can not be so delivered or tendered, it shall be by affixing it on the outer door or some other conspicuous part of the premises in which that individual/Company or any other entity, lives or carries on business or personally works for gain and written report thereof shall be prepared and witnessed by at least two persons living in the neighbourhood.

27. **Power of Entry etc.-** (1) The Registering Authority, the Licensing Authority or any officer of the Board ***not below the rank of Assistant Development Officer or Inspector** specifically authorised in this behalf in writing by the authority, may enter and search at any time any land, building, premises or vehicles in which the Registering Authority/ Licensing Authority has reason to believe that tea is stored, carried, distributed or sold in contravention of the provisions of this Order and seize any tea or product of tea which appears to him to be stored , carried distributed or sold in contravention of the provisions of this Order;

(2) Any officer taking action under this clause shall submit a report to the Registering Authority or the Licensing Authority, as the case may be, within twenty-four hours of taking such action;

(3) ***The following procedure shall be adopted relating to search and seizure –

(a) Any person residing in or being in charge of such place shall allow the duly authorized officer on production of the authority issued by the Licensing Authority or Registering Authority, free ingress thereto, and afford all reasonable facilities for a search therein.

(b) Before making a search, such authorized officer shall call upon two or more independent and respectable inhabitants of the locality in which the place to be searched is situated or of any other locality if so such inhabitant of the said locality is available or is willing to be a witness to the search, to attend and witness the search.

(c) The search shall be made in their presence, and a list of all the products of tea or related items seized in the course of such search and of the places in which they are found shall be prepared by the authorized officer and signed by such witnesses; but no person witnessing a search under this paragraph shall be required to attend the Court as a witness of the search unless specially summoned by it.

(d) The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search, and a copy of the list prepared and duly signed by the said witnesses, shall be delivered to such occupant or person.

28. **Adherence to the Standard of Tea by manufacturers/buyers** – (1) No manufacturer shall manufacture tea which does not conform to specification as laid down under the Prevention of Food Adulteration Act 1954 as amended from time to time or any other rules for the time being in force.

(2) No buyer shall deal in the buying and/or selling of tea which does not conform to specifications for tea as laid down under the Prevention of Food Adulteration Act 1954 as amended from time to time or any other rules for the time being in force.

29. **Drawing of Sample** - The Licensing Authority/Registering Authority may authorize an officer of the Board ****not below the rank of Assistant Development Officer** to take any sample of not more than 125 grams in weight per set in 3 sets, duly sealed and signed by the said officer and the representatives of the owner concerned and any other two witnesses ,drawn from any stock held by the manufacturer/buyer to check whether the sample taken conforms to specifications as laid down under the Prevention of Food Adulteration Act 1954 as amended from time to time or any other rules for the time being in force.

"30. *** **Fixation of price sharing formula and its compliance:-**

(1) Every registered manufacturer engages in purchase of green tea leaves shall pay to the supplier of green leaf a reasonable price according to the price sharing formula as may be specified by the Registering Authority, from time to time and implemented in a manner as determined by the Registering Authority, with the prior approval of the Central Government.

For the said purpose, the reasonable price for tea leaves payable to the supplier of green leaf according to the price sharing formula shall be determined taking into account the sale proceeds received by the registered manufacturer.

(2) Registering Authority or any officer of the Board, not below the rank of Joint Controller of Licensing, authorized by the Registering Authority in writing, may direct any broker, through whom the manufacturer has sold any made tea, to deduct from the proceeds of such sale an amount equivalent to the difference between the reasonable price of tea leaves as determined in terms of the price sharing formula and the actual price paid by such manufacturer for the tea leaves bought by him.

(3) Registering Authority or any officer of the Board , not below the rank of Joint Controller of Licensing, authorized by the Registering Authority in writing, may direct any broker, through whom the manufacturer has sold any made tea and has delayed the payment of the reasonable price for tea leaves as determined in terms of the price sharing formula, to deduct from the sale proceeds of such sale an amount equivalent of this reasonable price so determined for such tea leaves.

(4) Registering Authority or any officer of the Board, not below the rank of Joint Controller of Licensing, authorized by the Registering Authority in writing, may direct any broker to remit the sum so deducted under sub-paragraphs (2) and (3) in a manner and to the person as may be specified.

(5) The Registering Authority or any officer of the Board, not below the rank of Joint Controller of Licensing, authorized by the Registering Authority in writing, may also ensure the compliance of the payment of reasonable price for tea leaves as per sub-paragraphs(1), (2), (3) and (4)."-

31. **Delegation of Powers of the Registering/Licensing Authority** - The Registering/Licensing Authority may, by special order, delegate any of his function to one or more officers of the Tea Board, with the prior approval of the Central Government.

****32. Power to relax – With the prior approval of Central Government, the Registering or Licensing Authority may, on its own or on an application submitted by a manufacturer or buyer or licensee, if satisfied that in enforcing compliance of any of the provisions of this Order, undue hardship would result to any manufacturer or buyer or licensee, for reasons to be recorded in writing, relax any of such provision of this Order or exempt any manufacturer or buyer or licensee or category of manufacturers or buyers or licensee from complying with such provisions of this Order.**

(F. No. T-12014/1/2002-Plant(A) S.O.1 (E) dated 1st January 2003)
(F.No.T-12014/2/2003-Plant (A) S.O. 247 (E) dated 27th February 2003)*
(F.No.T-12014/2/2003-Plant (A) S.O.430(E) dated 10th April 2003)**
(F.No.T-12014/2/2003-Plant (A) S.O.270(E) dated 27th February 2004)***
(S.O.1170 (E) dated 20th October 2004)****

ADDITIONAL SECRETARY

F O R M – 'A'
(SEE PARAGRAPH 3(2))

APPLICATION FOR REGISTRATION UNDER PARAGRAPH 3(2) OF TEA (MARKETING)CONTROL ORDER, 2003.

ORIGINAL /DUPLICATE.

To
The Registering Authority
Tea Board
Kolkata.

Sir,

I/We hereby apply for registration as a manufacturer and/or producer of tea for purposes of the Tea (Marketing) Control Order, 2003.

Necessary particulars are furnished below:

(a) Name of the applicant (in Block Letters), (in the case of partnership concern the names of all the partners should be given):
(b) Full address to which correspondence is to be sent.
(c) Names and address of the production units.
(d) State and Plantation district.
(e) Whether the unit processes tea grown in its own gardens.
(f) Whether the unit is a bought leaf factory or a co-operative unit not having an estate of its own.
(g) Annual capacity for production
(h) If registered as a factory with State Government Registration No. and Date.
(i) Central Excise Zone and Registration No.
(j) Specify the type of tea produced

a) Packet tea
b) Tea Bags
c) Instant tea
d) Quick Brewing Black tea.
e) any other tea.

Yours faithfully,

Signature of the applicant.

Place:
Date:

F O R M - C

To

The Registering Authority,
Tea Board,
Kolkata.

Sir,

I/We hereby apply for registration as a buyer of tea under paragraph 4 (2) of the Tea (Marketing) Control Order, 2003

Necessary particulars are furnished below :

i) Name of the applicant (in block letters), (in case of partnership concern the names of all the partners should be given) :
ii) Address of the Registered Office :
iii) Addresses of branch offices, if any :
iv) Mailing address including telephone/fax/e-mail :
v) Central & State Sales Tax Regn. Nos. :
vi) Whether member of any auction organizer;
If so, Name(s) of the same :

vii) Specify the type of tea :

a) Tea in bulk
b) Packet tea
c) Tea Bags
d) Instant Tea
e) Quick Brewing Black Tea
f) Any other tea.

I/We have carefully read and understood Tea (Marketing) Control Order, 2003 and hereby agree to abide by the provisions of said Order.

Yours faithfully,

Signature of the Applicant

Place :

Date :

F O R M –'B'

(SEE PARAGRAPH 3(4))

Certificate of registration for carrying on business as Manufacturer and/or producer of Tea.

NOT transferable.

Issued under paragraph 3 (4) of the Tea (Marketing) Control Order , 2003.

14, BIPLABI TRAILOKYA MAHARAJ SARANI

KOLKATA- 700 001.

Date :

Certificate of Registration No……..

Shri/Sarbashri

……of…….

is/are hereby authorised to carry on the business of producer of packet tea/tea bags/instant tea/flavoured tea/quick brewing black tea/any other tea under the provisions of Tea (Marketing)

Control Order, 2003.

This certificate shall continue to be valid until cancelled/suspended by the registering authority under paragraph 5 of the Tea (Marketing) Control Order, 2003.

CHAIRMAN

TEA BOARD

Registering Authority

F O R M - D

Certificate of registration for carrying on business as Buyer of Tea.

Non-transferable.

Issued under paragraph 4 (4) of the Tea (Marketing) Control Order, 2003.

14, Biplabi Trailokya Maharaj Sarani,
Kolkata – 700 001.

Date :

Certificate of Registration No……

Shri/Sarbashri…….
.

of……. is/are hereby

authorised to carry on the business of buyer of tea in bulk/packet tea/tea

bags/instant tea/quick brewing black tea/any other tea under the provision of the

Tea (Marketing) Control Order, 2003.

This certificate shall continue to be valid until cancelled by the Registering Authority under paragraph 6 of the Tea (Marketing) Control Order, 2003.

CHAIRMAN
TEA BOARD OF INDIA
REGISTERING AUATHORITY

FORM – E **

(See Paragraph 7(1))

Monthly return to be submitted by the Registered manufacturers other than Instant tea manufacturers

Return form the month of

……

1. Name of the Manufacturing Unit :
2. Address :
3. Name of the Co. owning the Mfg. Unit :
4. Tea Board's Regn. No. under TMCO. :
5. Plantation District :
6. State :
7. Central Excise Control Code/Regn.No. :
8. Central Excise Zone :
9. Tea Waste Lic. No. under TWCO :
10. Name of Producer Assocn. Member of and Membership No., if any. :
11. Whether Estate or Bought-leaf (including Co-operative) Factory
12. Opening Stock of Made Tea (in Kgs) lying in the factory premises in loose form as well as in the form of consumer packs :

Type Of Tea					
	C.T.C.	Orthodox	Green	Organic	Total
Loose					
Packets					

13. Green leaf particulars (figures in Kgs.) during the month :

Quantity sourced from own garden	Quantity purchased from outside	Total quantity procured	Quantity used for manufacture of tea

14. Average leaf price per Kg., paid for the month (in respect of Bought-leaf):

15. Quantity of teas (in Th.Kgs.) manufactured during the month (out of total Green Leaves which is inclusive of garden own leaves as well as purchased leaves) :

During Month…….				**(January to ……..)**			
C.T.C.	Orthodox	Green	Total	C.T.C.	Orthodox	Green	Total

16. Quantity of tea manufactured in consumer packs (Kgs) during the month:

During Month…….				**(January to ……..)**			
C.T.C.	Orthodox	Green	Total	C.T.C.	Orthodox	Green	Total

17. Particulars of Tea Waste (figures in Kgs) :

Opening balance	Quantity generated during the month	Quantity disposed of during the month	Closing balance

18. Excise Duty paid : Rate per Kg Total amount paid

19. Cess paid under Tea Act, 1953. : Rate per Kg Total amount paid

20 Sale of un-denatured Tea Waste (figures in Kgs) :

Quantity sold	Date	Tea Board Authority, letter Number and date	Names of the buyers and their Tea Waste Licence Number

21 Denaturing of Tea Waste (figures in Kgs) :

Quantity denatured	Date	Tea Board Authority, letter Number and date	Name and Designation of official before whom performed.

22. Sale of denatured Tea Waste (figures in Kgs):

Quantity sold	Date	Names of the buyers

23. Conversion of Tea Waste as compost (figures in Kgs) :

Quantity	Date	Tea Board Authority, letter Number and date	Name and Designation of official before whom performed.

24 Destruction of Tea Waste (figures in Kgs) :

Quantity	Date	Tea Board Authority, letter Number and date	Name and Designation of official before whom performed.

25. Sales during the month :

(A) Through Auctions :

i.) Quantity Sold

Name of the Auction Centre	Quantity sold (in Kgs.)								
	CTC		Orthodox		Darjeeling		Green	Others (specify)	Total
	Leaf	Dust	Leaf	Dust	Leaf	Dust			
Kolkata									
Guwahati									
Siliguri									
Amritsar									
Cochin									
Coonoor									
Coimbatore									
Others (specify)									
TOTAL									

ii). Price realized

Name of the Auction Centre	Price realized (in Rs./Kgs.)								
	CTC		Orthodox		Darjeeling		Green	Others (specify)	Total
	Leaf	Dust	Leaf	Dust	Leaf	Dust			
Kolkata									
Guwahati									
Siliguri									
Amritsar									
Cochin									
Coonoor									
Coimbatore									
Others (specify)									
TOTAL									

(B) Direct Exports :

Type of tea	During the month …….	
	Quantity (in Kgs)	Price realized (in ₹ Per Kg)
Loose Tea		
Packet Tea		
Tea Bags		

(C) Marketing outside auction in India :

i) Sales to Registered Buyers

Type of tea	During the month …….	
	Quantity (in Kgs)	Price realized (in Rs. Per Kg)
Loose Tea		
Packet Tea		
Tea Bags		

ii) Sales to consumers through own retail outlet

Type of tea	During the month …….	
	Quantity (in Kgs)	Price realized (in Rs. Per Kg)
Loose Tea		
Packet Tea		
Tea Bags		

iii) Stock transfer to consignee/commission Agents

Type of tea	During the month …….	
	Quantity (in Kgs)	Reserve/maximum retail price (in Rs. Per Kg)
Loose Tea		
Packet Tea		
Tea Bags		

GRAND TOTAL OF QUANTITY SOLD (A+B+C) :_____

***& AVERAGE PRICE REALISED IN RS. PER KG OF TEA (A+B+C):_____

D. Gift to employees (In Kgs.)

26. Closing / unsold Stock at the end of the months (In Kgs.):

Type of Tea	C.T.C.	Orthodox	Green Tea	Others (Specify)	TOTAL
Loose					
Packet					
Tea Bags					

27. List of Registered Buyers to whom the tea was sold/consigned outside auction during the month under report.

Name of Registered Buyer.	Address	Registration No.	Quantity sold/transferred to buyer (kg)	Place from where tea sold/transferred .	Total value realized (Rs) excluding Sales Tax.

D E C L A R A T I O N

I/We hereby certify that the information including figures given in the above return are correct and that they can be verified from the records.

Signature
AUTHORISED REPRESENTATIVE.

Place :
Date :

FORM - F
(See Paragraph 7(2))

Return to be submitted by the Registered Buyer for the period from …… to …….

1. Name of the Firm/Company etc. :

2. Address of Regd. Office with Telephone / Fax No/E-mail :

3. Tea Board's Regn.No. under TMCO,

4. Opening stock of tea (in kgs) lying in the godown at the beginning of the period under report.*:

(Figures in kgs)

Type of Tea	C.T.C.	Orthodox	Darjeeling	Green	Others	Total
Loose						
Packet						
Tea Bags						

5. Quantity (in kgs) and Avg. price (Rs/kg) of teas purchased / procured in bulk during the period under report

a. Purchases from Auction

Type of Tea	**(Figures in kgs.)**											
	C.T.C		Orthodox		Darjeeling		Green		Others		Total	
	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty	Price	Qty	Price
Leaf												
Dust												

b. Purchases from sources other than Auction

Type of Tea	**(Figures in kgs.)**											
	C.T.C		Orthodox		Darjeeling		Green		Others		Total	
	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty	Price	Qty	Price
Leaf												
Dust												

c. Purchases by way of Imports for domestic sale

Type of Tea	**(Figures in kgs.)**											
	C.T.C		Orthodox		Darjeeling		Green		Others		Total	
	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty	Price	Qty	Price
Leaf												
Dust												

d. Procurements from Own Garden / Factory

Type of Tea	**(Figures in kgs.)**											
	C.T.C		Orthodox		Darjeeling		Green		Others		Total	
	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty	Price	Qty	Price
Leaf												
Dust												

6. Quantity of tea produced in the form of Packet tea, Tea Bags, Instant tea, Flavoured tea and Quick Brewing Black tea during the period under report :

Type of Tea	**During …….**
	Quantity (in Kgs)
Packet tea	
Tea Bags	
Instant tea	
Flavoured Tea	
Quick Brewing Black tea	

7. Marketing of Tea during the period under report :

(A) Domestic Sale :

Type of tea	**During …….**	
	Quantity (in kgs)	Price realized (in Rs/Kg)
Loose Tea		
Packet Tea		
Tea Bags		
Instant tea		
Flavoured Tea		
Quick Brewing Black tea		

(B) Export :

Type of tea	**During …….**		
	Quantity (in Kgs)	Value (in Rs.)	Unit Price (Rs/Kg)
Loose Tea			
Packet Tea			
Tea Bags			
Instant tea			
Flavoured Tea			
Quick Brewing Black tea			

8. Quantity received by consignee/commission agents by way of stock transfer and reserve price

Type of Tea	(Figures in Kgs.)											
	CTC		Orthodox		Darjeeling		Green		Others		Total	
	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price	Qty.	Price
Leaf												
Dust												

9. Consignee/Commisión Agent shall furnish additional information as precribed below:

Name of the Consignor	Type of teas CTC, Leaf/ Dust, Orthodox Leaf/Dust, Darjeeling Leaf/Dust, Green	Quantity received during the period under report (kgs)	Quantity sold during the period under report	Total value realised excluding sales tax	Remarks

D E C L A R A T I O N

I/We hereby certify that the information including figures given in the above return are correct and that they can be verified from the records.

Signature

AUTHORISED REPRESENTATIVE.

Place :
Date :

- Shall be submitted for the first time.

In case of Buyer the information should be filled in where ever applicable for him.

F O R M – G
(SEE PARAGRAPH 11)

APPLICATION FOR LICENCE UNDER PARAGRAPH 11 OF TEA (MARKETING) CONTROL ORDER, 2003.

ORIGINAL

/DUPLICATE.

To
The Licensing Authority
Tea Board
Kolkata.

Sir,

I/We* hereby apply for a licence to carry on the business in tea as

BROKER INTEA AUCTIONS/ORGANISERS OF TEA AUCTION

I/We* furnish the necessary particulars below :

1. Name of the applicant (in block letters), (in the case of partnership concern, the names of all the partners should be given) :

2. Full address (to which correspondence is to be sent) :

3. Nature of Licence is required – licence as : **Broker in Tea Auction/Organisers of Tea Auction :**

4. Full address of the premises in which the applicant intends to do business :

5. Amount of fee paid :

I/We* have carefully read and understood the Tea (Marketing) Control Order, 2003 hereby agree to abide by the provisions of the aid Order.

Yours faithfully,

Signature(s) of the Applicant (s).

Place:
Date:

*Score out the words not applicable.

Note :1 – This application should be signed, in the case of a company, by the Secretary or an authorised agent of the company and in the case of a partnership concern, by one of the partners and in the case of individuals, the words ‘Sole Proprietor’ shall be appended after signature.
Note : 2 - The application shall be submitted to the Licensing Authority in Duplicate.

FORM – H

(SEE PARAGRAPH 12 (2))

Licence for carrying on business as : **BROKER IN TEA AUCTIONS/ORGANISERS OF TEA AUCTIONS.**

NOT TRANSFERABLE

ISSUED UNDER CLAUSE 12(2) OF THE TEA (MARKETING) CONTROL ORDER, 2003.

14, Biplabi Trailokya Maharaj Sarani,

Kolkata – 700 001.

Date :

LICENCE No……

Shri/Sarbashri…….

of……. is/are* hereby

authorised to carry on the business as broker in public tea auction/organisers of

tea auctions in terms of the Tea (Marketing) Control Order, 2003.

This licence is valid up-to and including 31st December ---------- unless suspended before that date under paragraph 19 of the Tea (Marketing) Control Order, 2003.

CHAIRMAN
TEA BOARD OF INDIA
REGISTERING AUATHORITY

(*Scored out the words not applicable)

F O R M – I
(SEE PARAGRAPH 15 (1))

APPLICATION FOR RENEWAL OF LICENCE UNDER PARAGRAPH 15 (1) OF TEA (MARKETING) CONTROL ORDER, 2003.

ORIGINAL /DUPLICATE.

To
The Licensing Authority
Tea Board
Kolkata.

Sir,

I/We* hereby apply for a the renewal of my/our* licence as Brokers/Tea Auction Organisers Licence No……dated……issued by you.

I/We* furnish the necessary particulars below :

1. Name of the applicant (in block letters), (in the case of partnership concern, the names of all the partners should be given) :

2. Full address (to which correspondence is to be sent) :

3. Nature of Licence is required : **BROKER /ORGANISERS OF AUCTIONS :**

4. Full address of the various premises, if any, in which the applicant intends to do business :

5. Amount of fees paid :

I/We* have carefully read and understood the Tea (Marketing) Control Order, 2003 and hereby agree to abide by the provisions of the aid Order.

Yours faithfully,

Signature(s) of the Applicant (s).

Place:
Date:

*Strike out whichever is not applicable.

NOTE : to be sent to the licensing authority in Duplicate.

2 This application should be signed, in the case of companies, by the Secretary or an authorised agent, and in the case of a partnership concerns, by one of the authorised partners and in the case of individuals, the words ‘Sole Proprietor’ shall be appended after signature and in any other case, should be signed by an authorised person.

FORM – J

(SEE PARAGRAPH 15 (2))

CERTIFICATE OF RENEWAL OF LICENCE

TEA BOARD

14, BIPLABI TRAILOKYA MAHARAJ SARANI,

KOLKATA – 700 001.

Certified that the licence No. ……. Issued on …… to…… carry on the business in tea as a Broker/Organisers of Auctions in terms of Tea (Marketing) Control Order, 2003 is hereby renewed until 31st December…….unless previously suspended before the date under the paragraph 19 of the Tea (Marketing) Control Order, 2003.

Licensing Authority

Date :

Place :

Note :

* Amended vide Notification No. S.O.247 (E) dated 28th February, 2003.

** Amended vide Notification No. S.O.430 (E) dated 10th April, 2003.

*** Amended vide Notification S.O.270 (E) dated 27th February, 2004.

**** Amended vide Notification S.O.1170 (E) dated 20th October 2004