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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATION

CARDAMOM CONTROL

New Delhi, the 6th April 1966

S.O. 1144.—In exercise of the powers conferred by section 33 of the Cardamom Act, 1965 (42 of 1965), the Central Government hereby makes the following rules, namely:—

CHAPTER I

PRELIMINARY

1. **Short title.**—These rules may be called the Cardamom Rules, 1966.
2. **Definitions.**—In these rules, unless the context otherwise requires,—
 - (a) “Act” means the Cardamom Act, 1965 (42 of 1965);
 - (b) “Committee” means any of the Committees appointed by the Board under section 8;
 - (c) “member” means a member of the Board;
 - (d) “Secretary” means the Secretary to the Board;
 - (e) “section” means a section of the Act;
 - (f) “Vice-Chairman” means the Vice-Chairman of the Board;
 - (g) “year” means the year as defined in the Act except for the purpose of preparing a budget out of the Cardamom Fund of the Board in which case year shall mean the financial year.

CHAPTER II

THE BOARD AND ITS COMMITTEES

3. Constitution of the Board.—(1) The Board shall consist of a Chairman, the members specified in clauses (b), (c) and (d) of sub-section (3) of section 4 and fifteen other members representing other interests specified in sub-rule (2).

(2) Of the aforesaid fifteen members,—

- (a) three members shall represent the principal cardamom growing States, one representing each of the States of Kerala, Madras and Mysore, to be appointed in consultation with the respective State Government;
- (b) six members shall represent the cardamom growing interests in the three principal cardamom growing States of Kerala, Madras and Mysore; of these six, not less than three shall represent the registered owners owning land planted with cardamom plants the area of which is less than twenty acres whether such land is comprised in one estate or more;
- (c) two members shall represent the cardamom trade interests of which one at least shall be from the State of Maharashtra;
- (d) two members shall represent the interests of labour;
- (e) one member shall represent the consumers, and
- (f) one member shall represent such other persons or class of persons as in the opinion of the Central Government ought to be represented on the Board.

(3) The Central Government may make such consultations as it may think fit before appointing the representatives of the interests specified in clauses (b) to (f) of sub-rule (2).

4. Appointment of Committees.—The Board may appoint every year the following Committee, namely:—

(a) **Executive Committee.**—An Executive Committee consisting of—

- (i) the Chairman who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Vice-Chairman;
- (iii) the Director;
- (iv) one of the three members representing the Governments of Kerala, Madras and Mysore, sitting on the Committee by rotation for one year beginning with the representative of the Government of Kerala;
- (v) the member representing the Ministry of Finance of the Central Government; and
- (vi) one other member to be elected by the members of the Board from amongst the members representing the cardamom growing interests.

(b) **Research and Development Committee.**—A Research and Development Committee consisting of—

- (i) the Chairman who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Vice-Chairman;
- (iii) the Director;
- (iv) the three members representing the Governments of Kerala, Madras and Mysore;
- (v) the member representing the Ministry of the Central Government dealing with agriculture; and
- (vi) two members to be elected by the members of the Board from amongst the members representing the cardamom-growing interests.

(c) **Propaganda Committee.**—A Propaganda Committee consisting of—

- (i) the Chairman who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Director;
- (iii) the member representing the Ministry of the Central Government dealing with commerce;
- (iv) the two members representing the cardamom trade interests; and
- (v) one other member to be elected by the members of the Board in such manner as may be laid down by the Board.

5. **Term of office of members.**—(1) Save as hereinafter provided, a member shall hold office for such period not exceeding three years as may be specified in the notification appointing him and shall be eligible for re-appointment:

Provided that a member elected or appointed under clauses (c), (d) or (e) of sub-section (3) of section 4 shall cease to be a member if he ceases—

- (i) to be a member of the House of Parliament by which he was elected; or
- (ii) to hold the office by virtue of which he was appointed; or
- (iii) to represent the category from which he was appointed.

(2) A member elected or appointed to fill 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.**

6. **Membership roll.**—The Secretary shall keep a record of the names of members and their addresses.

7. **Change of address.**—A member shall keep the Secretary informed of any change in his address. If he fails to inform the change of address, the address in the official records shall for all purposes be deemed to be his address.

8. **Resignation.**—(1) A member of the Board or of a Committee may resign his office by a letter addressed to the Secretary.

(2) The office of a member of the Board or of a Committee shall fall vacant from the date on which his resignation is accepted by the Chairman of the Board or of the Committee, as the case may be, or on the expiry of thirty days from the date of receipt of intimation of resignation whichever is earlier.

9. **Removal of members.**—The Central Government may remove any member from his office:—

- (a) if he is of unsound mind and stands so declared by a competent court, or
- (b) if he becomes bankrupt or insolvent or suspends payment of his debts or compounds with his creditors, or
- (c) if he is convicted of an offence involving moral turpitude, 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 any dues to the Board, and is so declared by the Board.

10. **Absence from India.**—(1) Before a member departs from India—

- (a) he shall intimate the Secretary the date of his departure from, and the date of his expected return to, India; and
- (b) if he intends to be absent from India for a period longer than six months, he shall tender his resignation.

(2) If a member leaves India without fulfilling the conditions specified in sub-rule (1), he shall be deemed to have resigned his office with effect from the date of his departure from India.

11. **Vice-Chairman.**—(1) The Board shall elect, in each year from amongst its members, a Vice-Chairman for a period of twelve months commencing from the date of his election or, if the election is held before the expiry of the term of office of an existing Vice-Chairman, from the date on which such Vice-Chairman vacates his office.

(2) In the event of the Vice-Chairman resigning his office as such or ceasing to be a member under any of the provisions of these rules, the Board shall at its next meeting elect another member to be Vice-Chairman for the unexpired portion of the term of office of the Vice-Chairman elected under sub-rule (1).

12. **Functions of the Committees.**—

(a) **Executive Committee.**—Subject to such restrictions as may be imposed by the Board, 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 hereunder to the Research and Development Committee or the Propaganda Committee.

(b) **Research and Development Committee.**—Subject to such restrictions as may be imposed by the Board, the Research and Development Committee shall discharge all the functions of the Board in regard to the promotion of agricultural and technological research in the interests of the cardamom industry in India and in regard to measures that may be undertaken for the development of cardamom estates in India.

(c) **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 cardamom produced in India.

CHAPTER III

PROCEDURE FOR MEETINGS OF THE BOARD AND ITS COMMITTEES

13. **Meetings of the Board.**—There shall be not less than two ordinary meetings of the Board in a year on such dates and at such places as the Chairman may think fit and the interval between any two ordinary meetings shall not, in any case, be longer than eight months.

14. **Power to call meetings.**—(1) The Chairman may, at any time, call a meeting of the Board or of any of the Committees, and shall do so if a requisition for a meeting is presented to him in writing 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) The Chairman may require any officer of the Board or invite any person or persons to attend any meeting of the Board or of any of the Committees, but such officer or person or persons shall not have the power to vote.

(3) At least fourteen clear days before any meeting of the Board and at least ten clear days before a meeting of any of the Committees, notice of the time and place of the intended meeting signed by the Secretary shall be sent to the Central Government and left at or posted to the address of every member of the Board or, as the case may be, of the Committee:

Provided that in cases of urgency, a special meeting of the Board or of any or more of the Committees may be summoned at any time by the Chairman, who shall inform in advance, the Central Government and the members, of the subject matter for discussion and the reasons for which he considers the summoning of such meeting urgent. No ordinary business shall be transacted at such special meetings.

(4) Notwithstanding anything contained in this rule, the Central Government may also, at any time, call a meeting of the Board.

15. **Quorum.**—(1) No business shall be transacted at a meeting of the Board unless there are present at least eight members and no business shall be transacted at a meeting of a Committee unless there are present a majority of the members constituting the Committee.

(2) If at any time the number of members present in a meeting of any of the Committees is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than three days from the date of the meeting informing the members of the Committee of the date, time and place of the adjourned meeting; and it shall thereupon be lawful for him to dispose of, at such adjourned meeting, the business intended to be transacted at the original meeting, irrespective of the number of members for the time being present.

16. **Absence from meetings of a Committee.**—Any member of a Committee absenting himself from two consecutive meetings of such Committee without the leave of the Chairman, and in any case, from three consecutive meetings, shall cease to be a member of that Committee.

17. **Filling of casual vacancies.**—(1) Any casual vacancy in the membership of 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.

18. Presiding over meetings.—At every meeting of the Board or of any of the Committees at which he is present, the Chairman shall preside and, in his absence—

- (i) at a meeting of the Board, the Vice-Chairman shall preside; and
- (ii) at a meeting of the Committee, the Vice-Chairman, if he is a member of that Committee, shall preside,

but if both the Chairman and the Vice-Chairman are absent, the members present at the meeting shall elect one from among themselves to preside at the meeting.

19. Agenda.—(1) The Chairman shall cause to be prepared and circulated to the Central Government and among the members of the Board or of any of the Committees at least ten days before an ordinary meeting of the Board or of such Committee, a list of business to be transacted at that meeting.

(2) No business not included in the agenda shall be transacted without the permission of the Chairman.

20. Business by circulation.—(1) Any business which is to be transacted by the Board or a Committee may, if the Chairman so directs, be referred to members (other than members who are absent from India) by circulation of papers, and copies of all papers so circulated shall be sent to the Central Government.

(2) Any proposal or resolution circulated under sub-rule (1) 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 the majority of the 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 proposal or resolution:

Provided further that when a proposal or resolution is referred to the members by circulation, any five members of the Board or three members of any of the Committees, as the case may be, may require that the proposal or resolution be referred to members at a meeting, and thereupon such reference shall be made to members at a meeting of the Board or of the Committee, as the case may be.

(3) When any business is referred to members of the Board or of the Committee, as the case may be, by circulation, a period of not less than ten clear days 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.

(4) If a proposal or resolution is circulated, the result of the circulation shall be communicated to all the members of the Board or of the Committee concerned, as the case may be, and to the Central Government.

(5) All decisions on question arrived at by circulation of papers shall be placed at the next meeting of the Board for record.

21. Record of business.—(1) A record shall be maintained by the Secretary, of all items of business transacted by the Board or by the Committees and copies of such record shall be forwarded to the Central Government.

(2) The record of business transacted at every meeting of the Board and of any of the Committees shall be signed by the Chairman or the Vice-Chairman or the member presiding at such meetings.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman.

22. Voting.—(1) Every question brought before any meeting of the Board or its Committees shall be decided by a majority of 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 the member presiding over the meeting shall have a second or casting vote.

23. 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 every order passed under sub-rule (1) shall 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 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, in the opinion of the Central Government, be just or expedient, having regard to all the circumstances of the case.

CHAPTER IV

TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE BOARD

24. Travelling and other allowances to members of the Board and its Committees.—(1) A member 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 allowance and daily allowance at the highest rates admissible to Government servants of the first grade under the rules and orders made by the Central Government and for the time being in force.

(2) In the case of any journey performed by an official of the Central or the State Government specially nominated by the Board to serve on any *ad hoc* Committee or any other Committee or to attend to any other business of the Board, the travelling and daily allowances admissible to him shall be payable by the Board, at the rates admissible to him under the rules of the Government under which he is for the time being employed.

(3) No travelling allowance or daily allowance, shall be allowed to a member unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and halt for which the claim is made.

(4) Travelling allowance shall be payable from the usual place of residence of a member to the place of the meeting or the place where he has gone to attend to any business of the Board or any of its Committees and back to his place of residence.

Provided that when the journey commences from, or the return journey terminates at, any place other than his usual place of residence, the travelling allowance shall be limited to the amount that would have been payable had the journey commenced from or terminated at the usual place of residence, or to the amount payable in respect of the actual journey undertaken whichever is less.

Provided further that in special circumstances and with the previous approval of the Central Government, the Chairman may grant travelling allowance from places other than the usual place of residence of a member.

(5) The Director shall be the controlling officer for the purposes of travelling and daily allowances of the members of the Board or of any Committee.

25. Conveyance Allowances.—No Conveyance Allowance for attending meetings of the Board or any of the Committees or for attending to any other business of the Board, shall be paid to those members who draw travelling or daily allowance:

Provided that a member who is resident at a place where the meeting of the Board or any of the Committees is held or where any other business of the Board is transacted, may be paid the actual expenditure incurred on conveyance by him subject to a maximum of rupees ten per day.

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P. K. J. MENON, Jt., Secy.