

Coffee Act, 1942

Section 25 - SURPLUS COFFEE AND SURPLUS POOL

1) All coffee produced by a registered estate in excess of the amount specified in the⁶⁹[free sale quotas] allotted to the estate⁶³[or when no⁶⁹[free sale quotas] have been allotted to estates, all coffee produced by the estate], shall be delivered to the Board for inclusion in the surplus pool by the owner of the estate or by the curing establishment receiving the coffee from the estate:⁶⁴ [Provided that where no⁶⁸[free sale quota] have been allotted to estates, the Chairman may allow the owner of any estate to return with himself for purposes of consumption by his family and for purposes of seed, such quantity of coffee as the Chairman may think reasonable: Provided further that where the Central Government is satisfied that it is not practicable for any class of owners producing coffee in any specified area to comply with the provisions of this sub-section on account of the small quantity of coffee produced by them or on account of their estates being situated in a remote locality, the Central Government may, by notification in the Official Gazette, exempt such class of owners from the provisions of this sub-section.] (2) Delivery shall be made to the Board in such places⁶³[at such times], and in such manner as the Board may direct, and such directions may provide for partial delivery to the surplus pool at any time whether or not at that time the⁷⁰[free sale quota] has been exceeded; and the coffee delivered shall be such as to represent fairly in kind and quality the produce of the estate. The Board may reject any consignment offered for delivery which does not satisfy this requirement, but shall not reject any consignment merely for a defect in curing. (3) Coffee delivered for inclusion in the surplus pool shall upon delivery to the Board remain under the control of the Board which shall be responsible for storage, curing where necessary, and marketing of the coffee. (4) The Board shall,⁶⁵[* * *]⁶³[from time to time] prepare a differential scale for the valuation of coffee, and shall in accordance with that scale classify the coffee in each consignment delivered for inclusion in the surplus pool according to its kind and quality, and shall make an assessment of its value based on its quantity, kind and quality. (5) The Board may, with the consent of a registered owner,⁶⁶[* * *] treat as having been delivered for inclusion in the surplus pool any coffee from such estate which the registered owner may agree to have so treated. (6) When coffee has been delivered or is treated as having been delivered for inclusion in the surplus pool, the registered owner whose coffee has been so delivered or is treated as having been so delivered shall retain no rights in respect of such coffee except his right to receive the payments referred to in section 34-.