

Spices Board Act, 1986

Chapter II - The Spices Board

(1) The Central Government shall, by notification in the Official Gazette constitute, for the purposes of this Act, a Board, to be called THE SPICES BOARD.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to contract and shall, by the said name sue and be sued.

(3) The Board shall consist of such number of members, not exceeding thirty-two, as may be prescribed, and unless the rules made in this behalf otherwise provide, the Board shall consist of the following members namely :--

(a) a Chairman;

(b) three Members of Parliament of whom two shall be elected by the House of the People and one by the Council of States;

(c) three members to represent respectively the Ministries of the Central Government dealing with--

(i) Commerce;

(ii) Agriculture; and

(iii) Finance;

(d) six members to represent the growers of spices;

(e) eleven members to represent the exporters of spices;

(f) three members to represent major spice producing States;

(g) five members, one each to represent--

(i) the Directorate of Cocoa, Arecanut and Spices Development, Calicut;

(ii) the Indian Institute of Packaging, Bombay;

(iii) the Central Food Technological and Research Institute, Mysore;

(iv) the Regional Research Laboratory, Trivandrum; and

(v) the Central Plantation Crops Research Institute, Kasargode.

(4) The office of member of the Board shall not disqualify its holder for being chosen as, or for being, a member of either House of Parliament.

(5) The term of office of the members and other conditions of service of the members shall be such as may be prescribed.

(6) The Chairman shall, in addition to presiding over the meetings of the Board, exercise and discharge such powers and duties of the Board as may be delegated to him by the Board and such other powers and duties as may be prescribed.

(7) The Board shall elect from among its members a Vice-Chairman who shall exercise such of the powers and perform such of the functions of the Chairman as may be prescribed or as may be delegated to him by the Chairman.

(8) No act or proceeding of the Board shall be invalidated merely by reason of--

- (a) any vacancy in, or any defect in the constitution of, the Board;
- (b) any defect in the appointment of a person acting as a member of the Board;
- (c) any irregularity in the procedure of the Board not affecting the merits of the case.

Section 4 - Secretary and other officers

(1) The Board may appoint the Secretary and such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.

(2) The terms and conditions of service of the Secretary and other officers and employees of the Board shall be such as may be determined by regulations.

Section 5 - Advisory Committees

(1) Subject to any rules made in this behalf, the Board may, from time to time, constitute such committees as may be necessary for the efficient discharge of its functions.

(2) Every committee constituted under sub-section (1) shall consist of such number of persons as the Board may deem fit.

Section 6 - Transfer of assets and liabilities of the Cardamom Board and the Spices Export Promotion Council to the Board

(1) On and from the commencement of this Act,--

(a) all properties and other assets vested in the Cardamom Board and the Spices Export Promotion Council immediately before such commencement shall vest in the Board ;

(b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with, or for the Cardamom Board or the Spices Export Promotion Council immediately before such commencement for or in connection with the purposes of the Cardamom Board or the Spices Export Promotion Council shall be deemed to have been incurred, entered into and engaged to be done by, with, or for the Board;

(c) all sums of money due to the Cardamom Board or the Spices Export Promotion Council immediately before such commencement shall be deemed to be due to the Board;

(d) all suits and other legal proceedings instituted or which could have been instituted by or against the Cardamom Board or the Spices Export Promotion Council immediately before such commencement may be continued or instituted by or against the Board; and

(e) every employee holding any office under the Cardamom Board or the Spices Export Promotion Council immediately before such commencement shall on such commencement hold his office or service under the Board with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting; and shall continue to do unless and until his employment under the Board is duly terminated or until his remuneration and other conditions of service are duly altered by the Board.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, the absorption of any employee by the Board in its regular service under this section shall not entitle such employee to any compensation under that Act or other law and no such

claim shall be entertained by any Court, tribunal or other authority.

Section 7 - Functions of the Board

(1) The Board may--

- (i) develop, promote and regulate export of spices;
 - (ii) grant certificate for report of spices and register brokers therefor;
 - (iii) undertake programmes and projects for promotion of export of spices;
 - (iv) assist and encourage studies and research for improvement of processing, quality, techniques of grading and packaging of spices;
 - (v) strive towards stabilisation of prices of spices for export;
 - (vi) evolve suitable quality standards and introduce certification of quality through "Quality Marking" for spaces for export;
 - (vii) control quality of spices for export;
 - (viii) give licences, subject to such terms and conditions as may be prescribed, to the manufacturers of spices for export;
 - (ix) market any spice, if it considers necessary, in the interest of promotion of export;
 - (x) provide warehousing facilities abroad for spices; .
 - (xi) collect statistics with regard to spices for compilation and publication;
 - (xii) import, with the previous approval of the Central Government, any spice for sale; and
 - (xiii) advise the Central Government on matters relating to import and export of spices.
- (2) The Board may also--

- (i) promote co-operative efforts among growers of cardamom;
- (ii) ensure remunerative returns to growers of cardamom;
- (iii) provide financial or other assistance for improved methods of cultivation and processing of cardamom, for replanting cardamom and for extension of cardamom growing areas;
- (iv) regulate the sale of cardamom and stabilisation of prices of cardamom;
- (v) provide (raining in cardamom testing and fixing grade standards of cardamom;
- (vi) increase the consumption of cardamom and carry on propaganda for that purpose;
- (vii) register and licence brokers (including auctioneers) of cardamom and persons engaged in the business of cardamom;
- (viii) improve the marketing of cardamom;
- (ix) collect statistics from growers, dealers and such other persons as may be prescribed on any matter relating to the cardamom industry; publish statistics so collected or portions thereof or extracts therefrom;
- (x) secure better working conditions and the provision and improvement of amenities and incentives for workers; and
- (xi) undertake, assist or encourage scientific, technological and economic research.

