

Tea Act, 1953

Chapter I - Preliminary

(1) This Act may be called The Tea Act, 1953.

(2) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the control of the export of tea from, and the cultivation of tea in, India.

(3) It shall come into force on such date¹as the Central Government may, by notification in the Official Gazette, appoint.

1. The Act came into force on 1-4-1954.

Section 2 - Declaration As To Expediency Of Control By The Union

It is hereby declared that it is expedient in the public interest that the union should take under its control the tea industry.

Section 3 - Definitions

In this Act, unless the context otherwise requires,--

(a) "Board" means the Tea Board constituted under section 4;

(b) "broker" means a broker of tea;

(c) "cess" means¹[the duty of excise] imposed by section 25;

²[d] "Commissioner of Customs" means a Commissioner of Customs as specified in clause (b) of section 3 of the Customs Act, 1962;]

(e) "dealer" means a dealer in tea;

(f) "export" means to take out of India by land, sea or air to any place outside India other than a country or territory notified in this behalf by the Central Government by notification in the Official Gazette;

(g) "export allotment" means the total quantity of tea which may be exported during any one financial year;

(h) "Fund" means the Tea Fund referred to in section 27;

(i) "manufacturer" means a manufacturer of tea;

(j) "member" means a member of the Board;

(k) "owner"--

(i) with reference to a tea estate or garden or a sub-division there of the possession of which has been transferred by lease, mortgage or otherwise, means the transferee so long as his right to possession subsists; and

(ii) with reference to a tea estate or a garden or a sub-division for which an agent is employed, means the agent if and in so far as, he has been duly authorized by the owner in that behalf;

(l) "prescribed" means prescribed by rules made under this Act,

(m) "standard export figure" means such quantity as the Central Government may, by notification in the Official Gazette, specify pursuant to any international agreement in this behalf.

(n) "tea" means the plant *Camellia Sinensis* (L) O. Kuntze as well as all varieties of the product known commercially as tea made from the leaves of the plant *Camelia Sinesis* (L) O. Kuntze including green tea;

(o) "tea seed" includes seed, roots, stumps, cuttings, buds, and any living portion of the plant *Camellia Sinensis* (L) O. Kuntze which may be used to propagate that plant.

1. Substituted for "the customs duty" by the Tea (Amendment) Act, 1967 (21 of 1967), Section 3 (w.e.f. 13-8-1967).

2 . Substituted by Finance Act (22 of 1995), Section 82 for the expression "Customs Collector" wherever it occurs, the expression "Commissioner of Customs" be substituted, by the Tea (Amendment) Act, 1967 (21 of 1967), Section 3 (w.e.f. 13-8-1967).