

## Tea Act, 1953

### Chapter VI - Control by the Central Government

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- (1) The Central Government may, by order notified in the Official Gazette, fix in respect of tea of any description specified therein--
- (a) the maximum price or the minimum price or the maximum and minimum prices which may be charged by a grower of tea, manufacturer or dealer, wholesale or retail, whether for the Indian market or for export;
  - (b) the maximum quantity which may in one transaction be sold to any person.
- (2) Any such order may for reasons to be specified therein--
- (a) fix prices for such tea differently in different localities or for different classes of dealers, or for growers of tea or manufacturers;
  - (b) instead of specifying the price or prices to be charged, direct that price or prices shall be computed in such manner and by reference to such matters as may be provided by the order.
- (3) The Central Government may, by general or special order--
- (a) prohibit the disposal of tea or tea waste except in such circumstances and under such conditions as may be specified in the order;
  - (b) direct any person growing, manufacturing or holding in stock tea or tea waste to sell the whole or a part of such tea or tea waste so grown or manufactured during any specified period, or to sell the whole or a part of the tea or tea waste so held in stock, to such person or class of persons and in such circumstances as may be specified in the order;
  - (c) regulate by licences, permits or otherwise the production, storage, transport or distribution of tea or tea waste.
- (4) Where in pursuance of any order made with reference to clause (b) of sub-section (3), any person sells the whole or a part of any quantity of tea or tea waste, there shall be paid to him as price therefore--
- (a) where the price can be fixed by agreement consistently with the order, if any, relating to the fixation of price issued under sub-section (1), the price so agreed upon;
  - (b) where no such agreement can be reached, the price calculated with reference to any order as is referred to in clause (a);
  - (c) where neither clause (a) nor clause (b) applies, the price calculated at the market rate prevailing in the locality at the date of sale.
- (5) Without prejudice to the generality of the power conferred by sub-section (1) and (3), any order made thereunder may provide<sup>1</sup> --
- (a) for requiring persons engaged in the production, supply or distribution of, or trade and commerce in, tea or tea waste to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating to as may be specified in the order;

(b) for such other matters, including in particular the entering and search of premises, vehicles, vessels and aircraft, the seizure by a person authorized to make such search, of tea or tea waste in respect of which such person has reason to believe that a contravention of the order has been, is being or is about to be committed, the grant or issue of licences, permits or other documents and the charging of fees therefor.

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1. For orders made under sub-section (3) and (5) of this section.

see (i) "The Tea (Distribution and Export) Control Order, 1957," 1957, Pt. II, Section 3, p. 2760 (as amended by G.S.R. 1528, D/- 19-9-1966 and G.S.R. 429 and 28-2-1970) and

(ii) "The Tea Waste (Control) Order, 1959," 1959, Pt. II, Section 3(i), p. 409.

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### **Section 31 - General Control Over Acts And Proceedings Of The Board**

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(1) All acts and proceedings of the Board shall be subject to the control of the Central Government which may cancel, suspend or modify as it think fit any action taken by the Board.

(2) The Board shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

(3) The records of the Board shall be open to inspection at all reasonable times by any officer authorized in this behalf by the Central Government.

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### **Section 32 - Appeal to Central Government**

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Any person aggrieved by an order of the Board under section 14, section 15 or section 20 may appeal to the Central Government within sixty days from the date thereof and the Central Government may cancel, modify or suspend any such order.

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