

Coffee Act, 1942

Section 3 - Definitions

In this Act, unless there is anything repugnant in the subject or context,--

(a) "the Board" means the 1 [2 [**] Coffee Board] constituted under section 4;

3 [(aa) "Chairman" means the Chairman of the Board;]

(b) "Coffee" means the commodity derived from the fruit of the rubiaceae plant known by that name, and includes raw coffee, cured coffee, uncured coffee, roasted coffee and prepared coffee;

4 [(c) "Collector" means a Collector of Customs as defined in clause (8) of section 2 of the Customs Act, 1962 (52 of 1962)]

(d) "curing" means the application to raw coffee of mechanical processes other than pulping for the purpose of preparing it for marketing;

(e) "curing establishment" means any place to which raw coffee is sent by a registered owner for curing, and includes any estate which the Board may declare to be a curing establishment, for the purposes of this Act;

5 [(ee) "dealer" means a person carrying on the business of selling coffee, whether wholesale or by retail;]

(f) "estate" means an area administered as one unit which contains land planted with coffee plants;

6 [(ff) "India" means the territory of India excluding the State of Jammu and Kashmir;]

(g) "Indian Coffee Cess Committee" means the Indian Coffee Cess Committee constituted under the Indian Coffee Cess Act, 1935;

7 [(h) "free sale quota" means that portion, stated in terms of bulk or weight, of the whole of the coffee produced by the estate in the year, which a registered estate is permitted under this Act to sell]

8 [(i) "owner" in relation to any land planted with coffee plants, includes,--

(1) any agent of the owner, and

(2) a mortgagee, lessee or other person in actual possession of the land;]

(j) "Prescribed" means prescribed by rules made under this Act;

(k) "registered estate" means an estate in respect of which an owner is registered under sub-section (1) of section 14, and includes also any estate in respect of which an owner is required to be registered under the provisions of that sub-section;

(l) "registeredowner" means an owner of a registered estate who has been or is required to be registered under sub-section (1) of section 14;

9 [****]

(m) "surplus pool" means the stock of coffee accumulated by the Board out of the amounts delivered to the Board under section 25;

10 [(n) "year" means the period of twelve months beginning with the first day of July and ending with thirtieth day of June next following.]

1. Substituted for the words "Indian Coffee Board" by the Coffee Market Expansion (Amendment) Act, 1943 (7 of 1943), S. 2 (a) (26-3-1943).

2. the word "Indian" was omitted by the Coffee Market Expansion (Amendment) Act, 1954 (50 of 1954), S. 5 (1-8-1955).

3. Inserted by the Coffee Market Expansion (Amendment) Act, 1954 (50 of 1954), S. 5 (1-8-1955).

4. Substituted by The Coffee (Amendment) Act, 1994 (23 of 1994) w.e.f. 14.01.1994. Prior to substitution it read as under:

"(c) "Collector" means a Customs-Collector as defined in clause (c) of section 3 of the Sea Customs Act, 1878, or a Collector of Land Customs as defined in clause (c) of section 2 of the Land Customs Act, 1924, as the case may be;"

5. Inserted by Coffee Market Expansion (Amendment) Act (2 of 1944), S. 2 (27-2-1944).

6. Inserted by the Part B States (Laws) Act, 1951 (3 of 1951), S. 3 and Sch. (1-4-1951).

7. Substituted by The Coffee (Amendment) Act, 1994 (23 of 1994) w.e.f. 14.01.1994. Prior to substitution it read as under:

"(h) "internal sale quota" means that portion, stated in terms of bulk or weight, of the whole of the coffee produced by the estate in the year, which a registered estate is permitted under this Act to sell in the Indian market;"

8. Substituted for former clause (i) by Coffee (Amendment) Act (48 of 1961), S. 2 (19-4-1962).

9. Clause (ll) which was inserted by A.L.O., 1950, was omitted by Part B States (Laws) Act (3 of 1951), S. 3 & Sch. (1-4-1951).

10. Substituted for former clause (n), by Coffee (Amendment) Act (48 of 1961), S. 2 (b) (19-4-1962),