

Coffee Act, 1942

Section 48 - Power of the Central Government to Make Rules

(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

1[(2) Without prejudice to the generality of the foregoing power, rules may be made providing for all or any of the following matters:

2["(i) the constitution of the Board, the number of persons to be appointed as members from each of the categories specified in clause (c) of sub-section (2) of section 4, the term of office and other conditions of service of, the procedure to be followed by, and the manner of filling vacancies among, the members of the Board;

(ii) the circumstances in which, and the authority by which, members may be removed;"]

(iii) the procedure to be followed at meetings of the Board and at committees thereof for the conduct of business and the number of members which shall form a quorum at a meeting;

(iv) the maintenance by the Board of records of business transacted by the Board and the submission of copies thereof to the Central Government;

(v) the holding of a minimum number of meetings of the Board every year;

(vi) the powers of the Board, its Chairman and committees thereof with respect to the incurring of expenditure;

(vii) the conditions subject to which the Board may incur expenditure outside India;

(viii) the preparation of budget estimates of receipts and expenditure of the Board and the authority by which the estimates are to be sanctioned;

(ix) the maintenance of the accounts of income and expenditure of the Board and the audit of such accounts;

(x) the deposit of the funds of the Board in banks and the investment of such funds;

(xi) the re-appropriation of the estimated savings from any budget head to any other budget head;

(xii) the conditions subject to which the Board may borrow funds;

(xiii) the conditions subject to which and the manner in which contracts may be entered into by or on behalf of the Board;

(xiv) the delegation to the committee or Chairman or Vice-Chairman or members or officers of the Board of any of the powers and duties of the Board under this Act;

(xv) the staff which may be employed by the Board and the pay and allowances and leave and other conditions of service of officers (other than those appointed by the Central Government) and

other employees of the Board;

(xvi) the travelling and other allowances of members of the Board and of committees thereof;

(xvii) the maintenance of the registers and other records of the Board and its various committees;

(xviii) the manner in which the [3](#)[free sale quota] of coffee estates shall be determined;

(xix) the manner in which the Board shall exercise its powers of buying and selling coffee;

(xx) the appointment by the Board of agents;

(xxi) the conditions to be fulfilled by a curing establishment before a licence to operate as such can be issued;

(xxii) the form of, and the particulars to be contained in, any returns or reports to be made to the Board under this Act;

(xxiii) the form of, manner of application for, fees payable for, procedure in granting and conditions governing, the licences and permits to be issued by the Board;

(xxiv) the collection of any information or statistics in respect of coffee or any product of coffee;

(xxv) any other matter (other than any matter specified in section 15) which is to be or may be prescribed under this Act.]

[4](#)[(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall be thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

1. Substituted for original sub-section (2), by Coffee Market Expansion (Amendment) Act (50 of 1954), S.21 (1-8-1955).

2. Substituted for former clauses (i) and (ii) by Coffee (Amendment) Act (48 of 1961). S. 13 (19-4-1962).

3. Substituted for "internal sale quota" by The Coffee (Amendment) Act, 1994 (23 of 1994) w.e.f. 14.01.1994.

4. Substituted for former sub-section (3)) by Coffee (Amendment) Act (48 of 1961). S. 13 (19-4-1962) (48 of 1985), S. 5 (15-5-1986).