

TEA (REGISTRATION OF DEALERS AND DECLARATION OF STOCKS) ORDER, 1984

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TEA (REGISTRATION OF DEALERS AND DECLARATION OF STOCKS) ORDER, 1984

S.O. 736 (E), dated 2nd August, 1988. 3 -In exercise of the powers conferred by Sec. 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby rescinds the Tea (Registration of Dealers and Declaration of Stocks) Order, 1984 published vide S.O. 9 (E), dated 7th January, 1984. S. O. 9 (E), dated 7th January, 1984 1 -In exercise of the powers conferred by Sec. 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order namely :

1. Short title and commencement :-

(1) This Order may be called the Tea (Registration of Dealers and Declaration of Stocks) Order, 1984.

(2) It shall come into force at once.

2. Definitions :-

In this Order, unless the context otherwise requires;

(a) "commission agent" means a commission agent having in the customary course of business as such agent authority either to sell tea, or to consign tea for the purpose of sale or to buy tea;

(b) "dealer" means a dealer in tea, and includes a broker, commission agent, manufacturer and a warehouse keeper,

(c) "State Order" means any Order issued by any State Government or Union Territory Administration under the provisions

of the Essential Commodities Act, 1955 (10 of 1955), in relation to tea and in force to the time being;

(d) "tea" means the plant *Camellia Sinensis* (L) O. Kurtze as well as all varieties of the product known commercially as tea made from leaves of the said plant, including green tea;

(e) "warehouse keeper" means a person who owns or maintains a warehouse wherein tea is stored for the purposes of sale either by auction or otherwise;

(f) words and expressions, used but not defined herein shall have the meanings respectively assigned to them in Tea Act, 1953 .

3. Registration of dealers :-

Notwithstanding anything contained in any State Order, after the expiration of a period of 30 days from the coming into force of this Order, no person shall, if the stocks of tea in his possession exceed ¹ [5,000 kilograms] carry on business as a dealer unless he is registered as such in accordance with the provisions of a State Order.

1. Subs. by S.O. 891 (E), dated 7th October, 1987 (w.e.f. 7th October, 1987).

4. Returns :-

Every dealer shall furnish fortnightly returns to such authority as may be specified by the State Governments in this behalf by notification in the Official Gazette in respect of such stocks of tea held by him as are in excess of ¹ [5,000 kilograms].

1. Subs. by S.O. 891 (E), dated 7th October, 1987 (w.e.f. 7th October, 1987).

5. State Orders to apply :-

The provisions of the State Orders shall apply in respect of any matter for which no provision has been specifically made in this Order.

6. Repeal and Saving :-

(1) The Tea (Registration of Dealer and Declaration of Stocks) Order, 1983, is hereby repealed.

(2) Provided that any Order issued and any action taken under the Tea (Registration of Dealer and Declaration of Stocks) Order, 1983 shall be deemed to have been issued or taken under the provisions

of this Order. "Provided that such rescission shall not affect:

(a) the previous operation of the said Order or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Order; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Order; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Order had not been rescinded.