

CARDAMOM RULES, 1966

CONTENTS

CHAPTER 1 :- Preliminary

1. Short title
2. Definitions

CHAPTER 2 :- Board and its Committees

3. Constitution of the Board
4. Appointment of Committees
5. Term of office of members
6. Membership roll
7. Change of address
8. Resignation
9. Removal of members
10. Absence from India
11. Vice-Chairman
12. Functions of the Committees

CHAPTER 3 :-Procedure for meetings of the Board and its Committees

13. Meeting of the Board
14. Power to call meetings
15. Quorum
16. Absence from meetings of a Committee
17. Filling of casual vacancies
18. Presiding over meetings
19. Agenda
20. Business by circulation
21. Record of business
22. Voting
23. Revision

CHAPTER 4 :-TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE BOARD

24. Travelling and other allowances to members of the Board and its Committees
25. Conveyance Allowances

CHAPTER 5 :- BOARD AND ITS ESTABLISHMENT

26. Salaries and Allowances
27. Boards Establishment
28. Abolition of Posts
29. Filling of posts by direct recruitment
- 29A. Filling of posts by promotion
30. Pay, Leave, Allowances, etc
31. Posting and Transfers
32. Sending persons abroad

CHAPTER 6 :- POWERS OF THE BOARD, THE CHAIRMAN AND THE SECRETARY

33. Power to incur expenditure and to write off losses
34. Contracts
35. Delegation of powers
36. Restriction on delegation of powers
37. Borrowing powers
38. Powers and duties of Chairman
39. Powers and duties of Secretary

CHAPTER 7 :- FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

40. Budget estimates
41. Accounts of Board
42. Deposit of funds of Board in Banks and investment of such funds
43. Financial transactions in general

CHAPTER 8 :- MISCELLANEOUS

44. Returns from Registered Estates
45. Advance of loans to or investment in the share capital of co-operative societies
46. Appointment of agents and their registration
47. Remuneration etc. of the persons appointed to exercise the powers of the Board on its dissolution
48. Maintenance of registers and records

CARDAMOM RULES, 1966

This Act has been repealed by the Spices Board Act, 1986 (10 of 1986), but rules under this Act are printed for the benefit of those who may have to refer to old rules. G.S.R. 25, dated 24th December, 1968.-The Cardamom Rules, 1966, made under Sec. 33 of the Cardamom Act, 1965 (42 of 1965), incorporating all the amendments, are hereby republished for general information.

CHAPTER 1 Preliminary

1. Short title :-

These rules may be called the Cardamom Rules, 1966.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) "Act" means the Cardamom Act, 1965 (42 of 1965);
- (b) "Committee" means any of the Committees appointed by the Board under Section 8 ;
- (c) "member" means a member of the Board;
- (d) "Secretary" means the Secretary to the Board;
- (e) "section" means a section of the Act;
- (f) "Vice-Chairman" means the Vice-Chairman of the Board;
- (g) "year" means the year as defined in the Act except for the purpose of preparing a budget out of the Cardamom Fund of the Board in which case year shall mean the financial year.

CHAPTER 2

Board and its Committees

3. Constitution of the Board :-

(1) The Board shall consist of a Chairman, the members specified in CIs. (b). (c) and (d) of sub-section (3) of Section 4 and fifteen other members representing other interests specified in sub-rule (2).

(2) Of the aforesaid fifteen members,-

(a) three members shall represent the principal cardamom growing States, one representing each of the States of Kerala, Madras and Mysore, to be appointed in consultation with the respective State Government;

(b) six members shall represent the cardamom growing interests in the three principal cardamom growing States of Kerala, Madras and Mysore; of these six, not less than three shall represent the registered owners owning land planted with cardamom plants the area of which is less than twenty acres whether such land is comprised in one estate or more;

(c) two members shall represent the cardamom trade interests of which one at least shall be from the State of Maharashtra;

(d) two members shall represent the interests of labour;

(e) one member shall represent the consumers; and

(f) one member shall represent such other persons or class of persons as in the opinion of the Central Government ought to be represented on the Board.

(3) The Central Government may make such consultations as it may think fit before appointing the representatives of the interests specified in CIs. (b) to (f) of sub-rule (2).

4. Appointment of Committees :-

(1) The Board may appoint every year the following Committee, namely,-

(a) Executive Committee.-An Executive Committee consisting of,-

(i) the Chairman who shall be the ex-officio Chairman of the Committee:

(ii) the Vice-Chairman;

(iii) the Director;

(iv) one of the three members representing the Governments of Kerala, Madras and Mysore, sitting on the Committee by rotation for one year beginning with the representative of the Government of Kerala;

(v) the member representing the Ministry of Finance of the Central Government; and

(vi) one other member to be elected by the members of the Board from amongst the members representing the cardamom-growing interests. .

¹ [(vii) the member representing the Indian Council of Agricultural Research to be nominated by the Indian Council of Agricultural Research.]

(2) The Committees shall function for a period of twelve months or until such time that these are reconstituted.

(b) Research and Development Committee.--A Research and Development Committee consisting of-

(i) the Chairman, who shall be the ex-officio Chairman of the

Committee;

(ii) the Vice-Chairman;

(iii) the Director;

(iv) the three members representing the Governments of Kerala, Madras and Mysore;

(v) the member representing the Ministry of the Central Government dealing with agriculture; and

(vi) two members to be elected by the members of the Board from amongst the members representing the cardamom-growing interests:

(c) Propaganda Committee.-A Propaganda Committee consisting of-

(i) the Chairman, who shall be the ex-officio Chairman of the Committee;

(ii) the Director;

(iii) the member representing the Ministry of the; Central Government dealing with commerce;

(iv) the two members representing the cardamom trade interests; and ..

(v) two other members to be elected by the members of the Board in such manne as may be laid down by the Board.

(d) Labour Welfare Committee.--A Labour Welfare Committee consistin

(i) the Chairman, who shall be the ex-officio Chairman of the Committee;

(ii) the three members representing the Government of Kerala, Mysore and Madras;

(iii) the member representing the Ministry of Finance of the Central Government; Civ) two representatives of labour; and

(v) two members to be elected by the members of the Board from amongst the members representing the cardamom-growing interests."

1. Ins. by G.S.R. 1678, dated 1st December, 1978.

5. Term of office of members :-

(1) Save as hereinafter provided, a member shall hold office for such period not exceeding three years as may be specified in the notification appointing him and shall be eligible for re-appointment : Provided that a member elected or appointed under CIs. (c), (d) or (e) of sub-section (3) of Sec, 4 shall cease to be a member if he ceases-

(i) to be a member of the House of Parliament by which he was elected; or

(ii) to hold the office by virtue of which he was appointed; or

(iii) to represent the category from which he was appointed.

(2) A member elected or appointed to fill a casual vacancy shall hold office as long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

6. Membership roll :-

The Secretary shall keep a record of the names of members and their addresses.

7. Change of address :-

A member shall keep the Secretary informed of any change in his address. If he fails to inform the change of address, the address in the official records shall for all purposes be deemed to-be his address.

8. Resignation :-

(1) A member of the Board or of a Committee' may resign his office by a letter addressed to the Secretary.

(2) The office of a member of the Board or of a Committee shall, fall vacant from the date on which his resignation is accepted by the Chairman of the Board or of the Committee, as the case may be, or on the expiry of thirty days from the date of receipt of intimation of resignation whichever is earlier.

9. Removal of members :-

The Central Government may remove any member from his office,-

(a) if he is of unsound mind and stands so declared by a Competent Court; or

(b) if he becomes bankrupt or insolvent or suspends payment of his

debts or compounds with his creditors; or

(c) if he is convicted of an offence involving moral turpitude; or

(d) if he absents himself from two consecutive meetings of the Board without the leave of the Chairman, and in any case from three consecutive meetings; or

(e) if he defaults in payment of any dues to the Board, and is so declared by the Board.

10. Absence from India :-

(1) Before a member departs from India,-

(a) he shall intimate the Secretary the date of his departure from, and the date of his expected return to, India; and

(b) if he intends to be absent from India for a period longer than six months, he shall tender his resignation.

(2) If a member leaves India without fulfilling the conditions specified in sub-rule (1), he shall be deemed to have resigned his office with effect from the date of his departure from India.

11. Vice-Chairman :-

(1) The Board shall elect, in each year from amongst its members, a Vice-Chairman for a period of twelve months commencing from the date of his election or, if the election is held before the expiry of the term of office of an existing Vice-Chairman, from the date on which such Vice-Chairman vacates his office.

(2) In the event of the Vice-Chairman resigning his office as such or ceasing to be a member under any of the provisions of these rules, the Board shall at its next meeting elect another member to be Vice-Chairman for the unexpired portion of the term of office of the Vice-Chairman elected under sub-rule (1).

(3) If, however, the election is not held within a period of twelve months, the existing Vice-Chairman shall continue to hold office till the election is held.

12. Functions of the Committees :-

(a) Executive Committee.-Subject to such restrictions as may be imposed by the Board, the Executive Committee shall, in addition to such functions as have been specifically assigned to it under

these rules, discharge any other functions of the Board in regard to matters not specifically assigned hereunder to the Research and Development Committee or the Propaganda Committee.

(b) Research and Development Committee.-Subject to such restrictions as may be imposed by the Board, the Research and Development Committee shall discharge all the functions of the Board in regard to the promotion of agricultural and technological research in the interests of the cardamom industry in India and in regard to measures that may be undertaken for the development of cardamom estates in India.

(c) Propaganda Committee.-Subject to such restrictions as may be imposed by the Board, the Propaganda Committee shall discharge all the functions of the Board in regard to such measures as may be undertaken for promoting the sale and increasing the consumption in India and elsewhere of cardamom produced in India.

CHAPTER 3

Procedure for meetings of the Board and its Committees

13. Meeting of the Board :-

There shall be not less than two ordinary meetings of the Board in a year on such dates and at such places as the Chairman may think fit and the interval between any two ordinary meetings shall not, in any case, be longer than eight months.

14. Power to call meetings :-

(1) The Chairman may, at any time, call a meeting of the Board or of any of the Committees, and shall do so if a requisition for a meeting is presented to him in writing by at least eight members in the case of a meeting of the Board and half the total number of members in the case of a meeting of a Committee.

(2) The Chairman may require any officer of the Board or invite any person or persons to attend any meeting of the Board or of any of the Committees, but such officer or person or persons shall not have the power to vote.

(3) At least fourteen clear days before any meeting of the Board and at least ten clear days before a meeting of any of the Committees, notice of the time and place of the intended meeting signed by the Secretary shall be sent to the Central Government and left at or posted to the address of every member of the Board or, as the case may be, of the Committee: Provided that in cases of

urgency, a special meeting of the Board or of any or more of the Committees may be summoned at any time by the Chairman, who shall inform in advance, the Central Government and the members, of the subject-matter for discussion and the reasons for which he considers the summoning of such meeting urgent. No ordinary business shall be transacted at such special meetings.

(4) Notwithstanding anything contained in this rule, the Central Government may also, at any time, call a meeting of the Board.

15. Quorum :-

(1) No business shall be transacted at a meeting of the Board unless there are present at least eight members and no business shall be transacted at a meeting of a Committee unless there are present a majority of the members constituting the Committee.

(2) If at any time the number of members present in a meeting of any of the Committees is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than three days from the date of the meeting informing the members of the Committee of the date, time and place of the adjourned meeting; ¹ [and if the number of members present at such adjourned meeting is less than the required quorum, the members so present shall be the quorum.]

1. Subs. by G.S.R. 564, dated 16th May, 1973.

16. Absence from meetings of a Committee :-

Any member of a Committee absenting himself from two consecutive meetings of such Committee without the leave of the Chairman, and in any case, from three consecutive meetings, shall cease to be a member of that Committee.

17. Filling of casual vacancies :-

(1) Any casual vacancy in the membership of a Committee shall be filled by the remaining members of the Committee from amongst the members of the Board.

(2) A person appointed in a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

18. Presiding over meetings :-

At every meeting of the Board or of any of the Committees at which

he is present, the Chairman shall preside and, in his absence-

- (i) at a meeting of the Board, the Vice -Chairman shall preside; and
- (ii) at a meeting of the Committee, the Vice-Chairman, if he is a member of that Committee, shall preside, but if both the Chairman and the Vice-Chairman are absent, the members present at the meeting shall elect one from among themselves to preside at the meeting.

19. Agenda :-

(1) The Chairman shall cause to be prepared and circulated to the Central Government and among the members of the Board or of any of the Committees at least ten days before an ordinary meeting of the Board or of such Committee, a list of business to be transacted at that meeting.

(2) No business not included in the agenda shall be transacted without the permission of the Chairman.

20. Business by circulation :-

(1) Any business which is to be transacted by the Board or a Committee may, if the Chairman so directs, be referred to members (other than members who are absent from India) by circulation of papers, and copies of all papers so circulated shall be sent to the Central Government.

(2) Any proposal or resolution circulated under sub-rule (1) and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members at a meeting: Provided that at least eight members of the Board or a majority of the members of the Committee, as the case may be, have recorded their views on the proposal or resolution: Provided further that when a proposal or resolution is referred to the members by circulation, any five members of the Board or three members of any of the Committees as

(3) When any business, is referred to members of the Board or of the Committee, as the case may be, by circulation, a period of not less than ten clear days shall be allowed for receipt of replies from members. Such period shall be reckoned from the date on which the notice of business is issued.

(4) If a proposal or resolution is circulated, the result of the circulation shall be communicated to all the Members of the Board or of the Committee concerned, as the case may be, and to the Central Government.

(5) All decisions on question arrived at by circulation of papers shall be placed at the next meeting of the Board for record.

21. Record of business :-

(1) A record shall be maintained by the Secretary, of all items of business transacted by the Board or by the Committee and copies of such record shall be forwarded to the Central Government.

(2) The record of business transacted at every meeting of the Board and of any of the Committees shall be signed by the Chairman or the Vice-Chairman or the member presiding at such meetings.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman.

22. Voting :-

(1) Every question brought before any meeting of the Board or its Committees shall be decided by a majority of members present and voting at the meeting before which the matter is brought.

(2) In the case of an equality of votes, the Chairman or the Vice-Chairman or the members presiding over the meeting shall have a second or casting vote.

23. Revision :-

(1) The Central Government may, for reasons to be recorded in writing, review any decision of the Board, or its Committees and pass such order in the matter as it thinks fit.

(2) A copy of every order passed under sub-rule (1) shall be sent to the Board or the Committee concerned, as the case may be, by the Central Government.

(3) On receipt of a copy of the order as aforesaid, the Board or the Committee, as the case may be, shall make a representation to the Central Government against the said order and the Central Government may, after considering the representation, either cancel, modify or confirm the order passed by it under sub-rule (1) or take such

other action in respect of the matter as may, in the opinion of the Central Government, be just or expedient, having regard to all the circumstances of the case.

CHAPTER 4

TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE BOARD

24. Travelling and other allowances to members of the Board and its Committees :-

(1) A member other than a Government servant, shall be entitled to draw, in respect of any journey performed by him for the purpose of attending a meeting of the Board or of a duly constituted Committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, travelling allowance and daily allowance at the highest rates admissible to Government servants of the first grade under the rules and orders made by the Central Government and for the time being in force.

(2) In the case of any journey performed by an official of the Central or the State Government specially nominated by the Board to serve on any ad hoc Committee or any other Committee or to attend to any other business of the Board, the travelling and daily allowances admissible to him shall be payable by the Board, at the rates admissible to him under the rules of the Government under which he is for the time being employed.

(3) No travelling allowance or daily allowance, shall be allowed to a member unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and halt for which the claim is made.

(4) Travelling allowance shall be payable from the usual place of residence of a member to the place of the meeting or the place where he has gone to attend to any business of the Board or any of its Committees and back to his place of residence: Provided that when the journey commences from, or the return journey terminates at, any place other than his usual place of residence, the travelling allowance shall be limited to the amount that would have been payable had the journey commenced from or terminated at the usual place of residence, or to the amount payable in respect of the actual journey undertaken whichever is less: Provided further that in special circumstances and with the previous approval of the Central Government, the Chairman may grant travelling allowance,

from places other than the usual place of residence of a member.

(5) The Chairman shall be the controlling officer for the purposes of travelling and daily allowances of the members of the Board or of any Committee.

25. Conveyance Allowances :-

No conveyance allowance for attending meetings of the Board or any of the Committees or for attending to any other business of the Board, shall be paid to those members who draw travelling or daily allowance: Provided that a member who is resident at a place where the meeting of the Board or any of the Committees is held or where any other business of the Board is transacted, may be paid the actual expenditure incurred on conveyance by him subject to a maximum of rupees ten per day.

CHAPTER 5

BOARD AND ITS ESTABLISHMENT

26. Salaries and Allowances :-

(1) All expenditure on account of the salaries, allowance, pension, leave salary and other contributions, if any, of the Chairman and other officers appointed under Section 7 of the Act shall be met from the Board's funds.

27. Boards Establishment :-

(1) The Board may, subject to availability of funds either by inclusion of a specific budget provision for the purpose or by savings under an appropriate head or by valid re-appropriation, sanction such other establishment as is not covered by Section 7, if in its opinion such creation of posts is considered necessary for the efficient performance of its functions: Provided that no post, the maximum salary of which exceeds Rs. @1 [1900] per mensom, shall be created and appointments made thereto without the previous sanction of the Central Government: Provided further that in case of exigencies temporary posts which would need to be created in the interest of the Board and the maximum salary of which does not exceed Rs. ¹[9001 per mensem may be created by the Chairman: Provided also that the confirmation of a direct recruit in a post, the maximum salary of which exceeds Rs. ¹[900] per mensum, shall not be made without the prior approval of the Central Government.

(2) Subject to the conditions specified in sub-rule (1),-

(a) the Chairman may make appointments to Class III posts carrying a pay not exceeding Rs.¹[700] per mensem or a scale of pay, the maximum of which does not exceed Rs. ¹ [700] per mensem;

(b) the Director may make appointments to Class IV posts.

1. Sobs, by G.S.R. 245, dated the 14th February. 1975.

28. Abolition of Posts :-

The Board may abolish any post which it is competent to create.

29. Filling of posts by direct recruitment :-

All vacancies in the rank of officers carrying a pay, or a scale of pay; over Rs. ¹ [900] per mensem or in any other posts classified as technical posts, to be filled by direct recruitment, shall be advertised and all vacancies in other ranks shall be notified to the Regional Employment Exchange concerned, and appointments shall be made from among the persons making application in pursuance of the advertisement of the candidates recommended by the Employment Exchange, as the case may be.

1. Subs. by G.S.R. 245, dated 14th February, 1975.

29A. Filling of posts by promotion :-

In filling vacancies by promotion in respect of the categories of posts referred to in sub-rule (2) of rule 27, the Chairman or the Director, as the case may be, shall consider the claims of all candidates eligible for promotion to such posts.

30. Pay, Leave, Allowances, etc :-

The pay, leave, allowances, pension and retirement benefits, and other conditions of service and other facilities and concessions, such as, advances of pay, advances for purchase of conveyances, construction of houses and the like, in respect of all employees appointed by the Board, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees of the Central Government of the corresponding grades or status stationed at those places.

31. Posting and Transfers :-

Postings and transfers of all officers and employees of the Board shall be made by the Chairman; but the Chairman may delegate this power to the other officers of the Board subject to such conditions as he thinks fit.

32. Sending persons abroad :-

The Board shall not send any officer of the Board or any member of the Board to places outside India without the previous sanction of I the Central Government.

CHAPTER 6

POWERS OF THE BOARD, THE CHAIRMAN AND THE SECRETARY

33. Power to incur expenditure and to write off losses :-

(1) Subject to the provisions of the Act and these rules made by the Central Government relating to revenue and expenditure for the time being in force, the Board may incur such expenditure as it may think fit on items provided for, and within the amounts sanctioned by the Central Government, in the budget.

(2) The Board may write off losses or vaive recoveries upto Rs. 5,000 in any single case.

(3) The Board may delegate the powers under sub-rule (1) to the Chairman or its officers, subject to such limits or conditions as may be laid down by it in this behalf.

(4) Re-appropriations between sub-heads under heads of expenditure may be made by the Board. The Board may, however, delegate its powers in this behalf to the Chairman to such extent as it may deem fit.

(5) The Board shall not incur expenditure outside India in excess of Rs. 10, 000 on any single item without the previous sanction of the Central Government.

34. Contracts :-

(1) The Board may enter into any contract for the discharge of the duties entrusted to it under the Act: Provided that-

(a) every contract which extends over a period of more than three years or

(b) every agreement on contract for technical collaboration or consultation services with firms or foreign Governments shall require the previous sanction of the Central Government.

(2) The Board may delegate ft) the Chairman or the Director the power to enter into contracts on its behalf to such extent as it deems fit.

(3) Contracts shall not be binding on the Board unless they are executed by the Chairman or any officer authorised by the Board with the previous approval of the appropriate authority concerned.

(4) Neither the Chairman nor any officer of the Board nor any member thereof shall be personally liable under any assurances or contracts made by the Board and any liability arising under such assurances or contract shall be discharged from the moneys at the disposal of the Board.

35. Delegation of powers :-

(1) The Board shall have power to delegate to a committee such powers as it deems fit.

(2) Subject to the provisions of these rules and such restrictions as may be imposed by the Board, the Executive Committee shall exercise all the powers of the Board in regard to the control and disposal of the Cardamom Fund.

(3) Every Committee appointed by the Board shall exercise the powers conferred on it by or under the Act, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of every Committee shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

36. Restriction on delegation of powers :-

The Board shall not delegate any of the following powers to the Executive Committee,-

(a) the power to sanction non-recurring expenditure in excess of Rs. 20,000 in respect of any single item and recurring expenditure which involves any outlay of more than Rs. 20,000 in a year on any single item;

(b) the power to adopt the budget estimates of the Board on its behalf;

(c) the power to sanction expenditure to be incurred outside India in excess of Rs. 5,000 in respect of any single item;

(d) the power to re-appropriate estimated savings in excess of Rs. 2,500 in the case of any single item; and

(e) the power to write off losses or waive recoveries in excess of Rs. 1,000 in any one case.

37. Borrowing powers :-

The Board may, with the previous sanction of the Central Government, borrow, on the security of the Cardamom Fund or any of its other assets, for meeting its expenses or for any other purposes referred to in Section 9 of the Act

38. Powers and duties of Chairman :-

(1) The Chairman shall be responsible for the proper functioning of the Board and the discharge of its duties under the Act and these rules.

(2) Subject to the provisions of these rules, the Chairman may delegate his power under this rule to any other officer of the Board.

(3) The Chairman shall have the power to grant leave to all officers and employees and may delegate this power to any other officer of the Board subject to such conditions as he thinks fit.

(4) The Chairman shall exercise administrative control over all departments and officers of the Board including the Secretary.

(5) The Chairman shall have power:-

(i) to call for- documents and records and to inspect or cause to be inspected, accounts and places of storage or of business as required under the Act or these rules;

(ii) To sanction expenditure for contingencies, supplies and services and purchase of articles required for the working of the office of the Board and for the execution of measures in furtherance of the objects of the Act, provided that provision therefor has been made in the budget.

(6) The Chairman may by order, in writing delegate any of his powers under sub-rule (5) to any other officer of the Board.

(7) The Chairman shall have power to require the Board or any committee thereof to defer taking action in pursuance of any decision taken by the Board or the Committee, as the case may be, pending a reference to the Central Government on such decision.

(8) Where a matter has to be disposed of by the Board or a committee thereof and a decision in respect of that matter cannot wait till a meeting of the Board or the Committee as the case may be, is held or till completion of circulation of the relevant papers among the members of the Board or the Committee, the Chairman

may take required decision himself.

(9) Where the Chairman takes such decision, he shall submit the same for ratification by the Board or the Committee, as the case may be, provided that if the Board or the Committee modifies or annuls the decision taken by the Chairman. Such modification or annulment shall be without prejudice to the validity of any action taken previously as a result of that decision.

39. Powers and duties of Secretary :-

(1) The Secretary shall be responsible for the implementation of the decisions arrived at by the Board or by the Committees and the discharge of the duties imposed on him under the Act or by these rules.

(2) Subject to such delegation as may be made by the Chairman to such other officers as may be appointed for the purpose of this rule, the Secretary shall-

(a) cause all important papers and matters to be presented to the Board as early as practicable;

(b) issue directions as to the method of carrying out the decisions of the Board;

(c) grant, or, subject to the resolution by the Board, authorise some other person to grant, receipts on behalf of the Board for all moneys received under the Act;

(d) maintain or cause to be maintained an account of the receipt and expenditure of the Board; and

(e) present an annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government not later than the date specified from time to time in this behalf by the Central Government for being laid on the Table of both Houses of Parliament.

CHAPTER 7

FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

40. Budget estimates :-

(1) The Board shall, in each year, prepare a budget for the Cardamom Fund for the ensuing financial year and shall submit it for sanction to the Central Government on or before such date may

be appointed by the Government.

(2) No expenditure shall be incurred until the budget is sanctioned by the Central Government and the sanction for that expenditure by the competent authorities is received.

(3) The budget shall be prepared in accordance with such instructions as may be issued from time to time and be in such form as the Central Government may direct and shall include a statement of-

(i) the estimated opening balance,

(ii) the estimated receipts referred to in sub-section (1) of Section 17 of the Act, and

(iii) the estimated expenditure classified under the following heads and sub-heads or such other heads and sub-heads as the Central Government may direct, namely:-

Heads:

(a) Administration

(b) Research

(c) Statistics

(d) Works

(e) Propaganda and publicity

(ee) Promoting Co-operative efforts among growers of cardamom.

(eee) Financial and other assistance for improved methods of cultivation.

(f) Others.

Sub-Heads:

(i) Pay of officers

(ii) Pay of establishment

(iii) Allowances, honoraria and the like

(iv) Other charges, contingencies and the like.

(4) Supplementary estimates of expenditure, if any, shall be submitted for the sanction of the Central Government in such form

and on such dates as may be directed by it in this behalf.

41. Accounts of Board :-

(1) The Board shall maintain accounts of all receipts and expenditure relating to each year.

(2) The audited statement of receipts and expenditure together with the auditor's report thereon for every year shall be submitted to the Central Government as soon as possible after the close of the year, and, in any case, not later than the dates specified in this behalf by the Central Government, for being laid on the table of both Houses of Parliament.

(3) The expenditure incurred in the year shall be shown under separate heads and sub-heads.

(4) The opening balance, if any, shall also be stated as such separately.

(5) The closing balance of the year shall be shown at the foot of the accounts on the expenditure side.

42. Deposit of funds of Board in Banks and investment of such funds :-

(1) Money required for the current expenditure of the Board with the exception of petty cash and surplus moneys shall be kept in the Personal Ledger Account in the district Treasury or sub-Treasury or in current account in the State Bank of India or in any of its subsidiaries.

(2) Any funds not required for current expenditure may be placed in deposit account with the Central Government in the Public Account: Provided that the funds in the Board's pension fund or provident fund not required for current expenditure may be invested in Trustee Securities or Ten-Year Treasury Savings Deposit Certificates or National Savings Certificates or National Defence Certificates to the extent permissible or in fixed deposits with the State Bank of India or any of its subsidiaries or, if approved by the Central Government, with the other bank.

(3) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against the current account of the Board.

¹ [(4) Such cheques and all orders for making deposit or investments or withdrawal of the same, or for the disposal in any

other manner, of the funds of the Board shall be signed by the Secretary, or by any other officer of the Board duly authorised by the Secretary and countersigned by the Chairman or, in the absence of the Chairman by any other officer of the Board duly authorised by the Chairman.]

1. Subs. by G.S.R. 145, dated 31st January., 1983.

43. Financial transactions in general :-

Except as otherwise provided in these rules, the provisions of the Central Treasury Rules, Delegation of Financial Powers Rules, 1958 and General Financial Rules, 1962 of the Central Government, for the time being in force, shall subject to such modifications or adaptations as may be made by the Board therein with the previous approval of the Central Government, apply to all financial transactions of the Board.

CHAPTER 8

MISCELLANEOUS

44. Returns from Registered Estates :-

1 [(1) * * *]

(2) The Chairman, Director or any other officer authorised by the Chairman shall have power to call for any information or statistics in respect of cardamom or any product of cardamom from-

(i) growers of cardamom;

(ii) dealers in cardamom; and

(iii) any person or firm or company dealing in, or having any connection with cardamom industry or cardamom products.

1. Omitted by G.S.R. 1646, dated 8th November. 1976.

45. Advance of loans to or investment in the share capital of co- operative societies :-

The Board may, with the previous approval of the Central Government advance loans to, or invest its moneys in the share capital of, the co- operative societies connected mainly with cardamom industry. **1** [* * *]

1. Omitted by G.S.R. 148. dated 20th January, 1978.

46. Appointment of agents and their registration :-

] .-The Board may, with the previous approval of the Central

Government appoint any person or body of persons to act as agent or agents of the Board for carrying out all or any of the functions assigned to the Board under the provisions of the Act or these rules and may fix the remuneration of the person or person so appointed.

47. Remuneration etc. of the persons appointed to exercise the powers of the Board on its dissolution :-

In the event of dissolution of the Board under Section 10 of the Act and the appointment of any person or persons for the exercise of all powers and duties of the Board, the remuneration and other allowances payable to such person or persons shall be such as may be fixed by the Central Government.

48. Maintenance of registers and records :-

(1) The Board shall maintain Registers indicating from year to year the area under cadamom cultivation, the production obtained in each season, the proportion of crop exported and such other records as the Chairman may deem necessary from time to time.

(2) The instruction governing preservation of such registers and records shall be regulated in accordance with such rules and regulations as are for the time being applicable in this behalf to other Central Government Officers.]