

THE SPICES BOARD ACT, 1986

No. 10 of 1986

An act to provide for the constitution of a Board for the development of export of spices and for the control of cardamom industry including the control of cultivation of cardamom and matters connected therewith.

Be it enacted by parliament in the Thirty - seventh Year of the Republic of India as follows:

CHAPTER - I

PRELIMINARY

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| | 1. (1) This Act may be called the Spices Board Act, 1986 |
| Short title, extent and commencement | (2) It extends to the whole of India |
| | (3) * It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. |
| Definitions | 2. In this Act, unless the context otherwise requires; |
| | (a) "Board" means the Spices Board constituted under sub-section (1) of section 3; |
| | (b) "cardamom" means the fruit of cardamom plant and includes green cardamom, bleached cardamom, bleachable white cardamom, sundried cardamom, cardamom seeds, powdered cardamom and oil extracted from cardamom; |
| | (c) "cardamom plant" means <i>Elettaria cardamom maton</i> , <i>amomum subulatum</i> Roxb and any other plant which the Board may, by notification in the official Gazette, declare to be a cardamom plant for the purposes of this Act; |
| | (d) "certificate" means a certificate granted under section 12; |
| | (e) "dealer" means a dealer in spices |
| | (f) "estate" means the area administered as one unit which contains land planted with cardamom plants. |

* The Spices Board Act 1986 came into force from 26th February 1987 vide Government of India, Ministry of Commerce, Notification No. 122 (E) dated 26th February 1987.

- (g) “export” and “import” mean, respectively, taking out of or bringing into India by land, sea and air;
- (h) “manufacturer” means a manufacturer of spices;
- (i) “member” means a member of the Board appointed under sub-section (3) of section 3;
- (j) “owner” in relation to any land planted with cardamom plants, includes -
 - (i) any agent of the owner; and
 - (ii) a mortgagee, lessee or other person in actual possession of the land;
- (k) “prescribed” means prescribed by rules made under this Act;
- (l) “registered estate” means an estate in respect of which an owner is registered under sub-section (1) of section 8 and includes any estate in respect of which an owner is required to be registered under the provisions of that sub-section;
- (m) “registered owner” means an owner of a registered estate which has been or is registered or is required to be registered under sub-section (1) of section 8; and
- (n) “spices” means the spices specified in the Schedule:
 Provided that the Central Government may, if satisfied that it is necessary or expedient in the public interest so to do, by notification in the Official Gazette, add any other spice to the Schedule or omit any spice therefrom.

CHAPTER - II

THE SPICES BOARD

Constitution and
incorporation of
the Board

- 3. (1) The Central Government shall, by notification in the Official Gazette constitute, for the purposes of this Act, a Board, to be called the Spices Board.
- (2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject of the provisions of this Act to contract and shall, by the said name, sue and be sued.
- (3) * The Board shall consist of such number of members, not exceeding thirty-two, as may be prescribed, and unless the rules made in this behalf otherwise provide, the Board shall consist of the following members, namely:-

* Please see Chapter II of Spices Board Rules, 1987.

- (a) a Chairman
- (b) three Members of Parliament, of whom two shall be elected by the House of the People and one by the Council of States;
- (c) three members to represent respectively the Ministries of the Central Government dealing with:
 - (i) Commerce;
 - (ii) Agriculture; and
 - (iii) Finance;
- (d) six members to represent the growers of spices;
- (e) eleven members to represent the exporters of spices;
- (f) three members to represent major spice producing States;
- (g) five members, one each to represent:-
 - (i) the Directorate of Cocoa, Arecanut and Spices Development, Calicut;
 - (ii) the Indian Institute of Packaging, Bombay
 - (iii) the Central Food Technological and Research Institute, Mysore
 - (iv) the Regional Research Laboratory, Trivandrum; and
 - (v) the Central Plantation Crops Research Institute, Kasargode.
- (4) The office of member of the Board shall not disqualify its holder for being chosen as or for being, a member of either House of Parliament.
- (5) The term of office of the members and other conditions of service of the members shall be such as may be prescribed.
- (6) The Chairman shall, in addition to presiding over the meetings of the Board, exercise and discharge such powers and duties of the Board as may be delegated to him by the Board and such other powers and duties as may be prescribed.
- (7) The Board shall elect from among its members a Vice-Chairman who shall exercise such of the powers and perform such of the functions of the Chairman as may be prescribed or as may be delegated to him by the Chairman.
- (8) No act or proceeding of the Board shall be invalidated merely by reason of:-

- (a) any vacancy in, or any defect in the constitution of the Board;
 - (b) any defect in the appointment of a person acting as a member of the Board;
 - (c) any irregularity in the procedure of the Board not affecting the merits of the case.
- Secretary and other Officers
4. (1) The Board may appoint the Secretary and such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.
- (2) The terms and conditions of service of the Secretary and other officers and employees of the Board shall be such as may be determined by Regulations.
- Advisory Committees
- 5 (1) Subject to any rule made in this behalf, the Board may, from time to time, constitute such committees as may be necessary for the efficient discharge of its functions.
- (2) Every committee constituted under sub-section (1) shall consist of such number of persons as the Board may deem fit.
6. (1) On and from the commencement of this Act:
- Transfer of assets and liabilities of the Cardamom Board and the Spices Export Promotion Council to the Board
- (a) All properties and other Assests vested in the Cardamom Board and the Spices Export Promotion Council immediately before such commencement shall vest in the Board;
 - (b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with, or for the Cardamom Board or the Spices Export Promotion Council immediately before such commencement for or in connection with the purposes of the Cardamom Board or the Spices Export Promotion Council shall be deemed to have been incurred, entered into and engaged to be done by, with or for the Board;
 - (c) all sums of money due to the Cardamom Board or the Spices Export Promotion Council immediately before such commencement shall be deemed to be due to the Board;
 - (d) all suits and other legal proceedings instituted or which could have been instituted by or against the Cardamom Board or the Spices Export Promotion Council immediately before such commencement may be continued or instituted by or against the Board; and

- (e) every employee holding any office under the Cardamom Board or the Spices Export Promotion Council immediately before such commencement shall on such commencement hold his office or service under the Board with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Board is duly terminated or until his remuneration and other conditions of service are duly altered by the Board.

14 of 1947

- (2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, the absorption of any employee by the Board in its regular service under this section shall not entitle such employee to any compensation under that Act or other law and no such claim shall be entertained by any court, tribunal or other authority.

Functions of the Board

- 7. (1.) The Board may:-
 - (i) develop, promote and regulate export of spices;
 - (ii) grant certificate for export of spices and register brokers therefore;
 - (iii) undertake programmes and projects for promotion of export of spices;
 - (iv) assist and encourage studies and research for improvement of processing, quality, techniques of grading and packaging of spices;
 - (v) strive towards stabilisation of prices of spices for export;
 - (vi) evolve suitable quality standards and introduce certification of quality through "Quality Marking" for spices for export;
 - (vii) control quality of spices for export;
 - (viii) give licences, subject to such terms and conditions as may be prescribed, to the manufacturers of spices for export;
 - (ix) market any spice, if it considers necessary, in the interest of promotion of export;
 - (x) provide warehousing facilities abroad for spices;
 - (xi) collect statistics with regard to spices for compilation and publication;

- (xii) import, with the previous approval of the Central Government, any spice for sale, and
 - (xiii) advise the Central Government on matters relating to import and export of spices.
- (2) The Board may also:-
- (i) promote co-operative efforts among growers of cardamom;
 - (ii) ensure remunerative returns to growers of cardamom;
 - (iii) provide financial or other assistance for improved methods of cultivation and processing of cardamom, for replanting cardamom and for extension of cardamom growing areas;
 - (iv) regulate the sale of cardamom and stabilisation of prices of cardamom;
 - (v) provide training in cardamom testing and fixing grade standards of cardamom;
 - (vi) increase the consumption of cardamom and carry on propaganda for that purpose;
 - (vii) register and licence brokers (including auctioneers) of cardamom and persons engaged in the business of cardamom;
 - (viii) Improve the marketing of cardamom;
 - (ix) collect statistics from growers, dealers and such other persons as may be prescribed on any matter relating to the cardamom industry; publish statistics so collected or portions thereof or extracts therefrom;
 - (x) secure better working conditions and the provision and improvement of amenities and incentives for workers; and
 - (xi) undertake, assist or encourage scientific, technological and economic research.

Chapter - III

REGISTRATION OF OWNERS OF CARDAMOM ESTATES

- Registration of owners of cardamom estates
8. (1) Every owner of land planted with cardamom plants, whether such land is comprised in one estate or more than one estate, shall, before the expiration of one month from the date on which he first became owner of such estate or estates, apply to the registering officer appointed in this behalf by the State Government to be registered as an owner in respect of each estate owned by him;

- Provided that the State Government may, for sufficient reasons, extend the time-limit for registration by such period as it thinks fit.
- Power of State Government to make rules
- (2) Registration once made shall continue to be in force until it is cancelled by the registering officer.
9. (1) The State Government may, by notification in the Official Gazette, make rules to carry into effect the provisions of section 8.
- (2) Without prejudice to the generality of the foregoing power, such rules may prescribe the form of the application for registration and for cancellation of registration, the fee payable on such applications, the particulars to be included in such application the procedure to be followed in granting and cancelling registration, the registers to be kept by registering officers and the supply by registering officers of information to the Board.
- Returns to be made by registered owners
- 10.(1) A registered owner shall furnish returns to the Board in such form, at such times and in such manner as may be prescribed.
- (2) The Board may authorize an officer to visit any estate at any time to verify the accuracy of any return made under this section or to ascertain the productive capacity of the estate.

CHAPTER IV

CERTIFICATE FOR EXPORT OF SPICES

11. Save as otherwise provided in this Act, no person shall, after the commencement of this Act, commence or carry on the business of export of any spice except under and in accordance with a certificate.
- No person to export spices without certificate

Provided that a person carrying on the business of export of spices immediately before the commencement of this Act, may continue to do so for a period of three months from such commencement; and if he has made an application for such certificate with the said period of three months till the disposal of such application.

Explanation: The reference in this section to the commencement of this Act shall be construed in relation to any spice added to the Schedule by notification under the proviso to clause (n) of section 2 as reference to the date with effect from which such spice is added to the Schedule.

- 12.(1) An application for grant of certificate shall be made to the Board in such form and shall contain such particulars as may be prescribed and shall be accompanied by a receipt evidencing the payment of the prescribed fee.
- Grant of certificate

- (2) On receipt of such application, the Board shall :-
 - (a) if the application is not in the prescribed form or does not contain any of the prescribed particulars, return the application to the applicant; or
 - (b) if the application is in the prescribed form and contains the prescribed particulars, grant the certificate subject to such terms and conditions as may be determined by regulations.

Cancellation,
suspension; etc.
of certificate

- 13. (1) The Board may cancel any certificate on any one or more of the following grounds, namely:-
 - (a) that the holder of the certificate has violated any of the terms and conditions of the certificate; and
 - (b) that in the opinion of the Central Government it is necessary in the interests of general public to cancel the certificate.
- (2) where the Board, for reasons to be recorded in writing is satisfied that pending consideration of the question of cancelling the certificate on any grounds mentioned in subsection (1), it is necessary so to do, the Board may by order in writing suspend the operation of the certificate for such period not exceeding forty-five days as may be specified in the order and require the holder of the certificate to show cause, within fifteen days from the date of receipt of such order, as to why the suspension of the certificate should not be extended till the determination of the question as to whether the registration should be cancelled.
- (3) No order of cancellation of registration under this section shall be made unless the person concerned has been given a reasonable opportunity of being heard in respect of the grounds for such cancellation.

Appeal

- 14.(1) Any person aggrieved by an order made under section 13 may prefer an appeal to the Central Government within such period as may be prescribed.
- (2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor.

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the Central Government that he had sufficient cause for not preferring the appeal within the prescribed period.

(3) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of order appealed against and by such fees as may be prescribed.

(4) The procedure for disposing of an appeal shall be such as may be prescribed.

Provided that before disposing of an appeal, the appellant shall be given a reasonable opportunity of being heard.

(5) The Central Government may confirm, modify or reverse the order appealed against.

Power to permit
export without
certificate

15. The Central Government may, if satisfied that it is necessary or expedient, so to do, in public interest, by notification in the Official Gazette and subject to such conditions, if any, as may be specified there in, permit any body or other agency to commence or carry on the business of export of spices without a certificate.

CHAPTER - V

CONTROL BY THE CENTRAL GOVERNMENT

16. (1) The Central Government may, by order notified in the Official Gazette, fix in respect of cardamom of any discription specified therein

Power to control
price and distri-
bution of carda-
mom

(a) the maximum price or the minimum price, or the maximum and minimum prices, which may be charged by a grower of cardamom or cardamom dealer, wholesale or retail, whether for the Indian market or for export; and

(b) the maximum quantity which may in one transaction be sold to any person.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), any order made thereunder may provide-

(a) for requiring persons engaged in the production, supply or distribution of, or trade and commerce in cardamom to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto as may be specified in the order; and

(b) for such other matters; including in particular the entering and search of premises, vehicles, vessels and aircraft, and seizure by a person authorised to make such search of cardamom in the 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.
- Power to prohibit or control import of Cardamom
17. The Central Government may, by order publish in the official Gazette, make provision for prohibiting, restricting or otherwise controlling the import of cardamom, either generally or in specified classes of cases.
- Power of the Central Government to issue directions
- 18.(1) Without prejudice to foregoing provisions of this Act, the Board shall, in the discharge of its functions and duties under this Act, be bound by such direction of questions of policy as the Central Government may give in writing to it from time to time;
- Provided that the Board shall as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.
- (2) The decision of the Central Government whether a question is one of policy or not shall be final.
- 19.(1) If at any time the Central Government is of opinion-
- Power of the Central Government to supersede the Board
- (a) that on account of grave emergency, the Board is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or
- (b) that the Board has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act and as a result of such default the financial position of the Board or the administration of the Board has deteriorated; or
- (c) that circumstances exist which render it necessary in the public interest so to do,
- the Central Government may, by notification in the Official Gazette, supersede the Board for such period, not exceeding six months, as may be specified in that notification,
- (2) Upon the publication of a notification under sub-section (1) superseding the Board, -
- (a) all the members shall, as from the date of supersession vacate their offices as such;
- (b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Board, shall until the Board, is reconstituted

under sub-section (3), be exercised and discharged by such person or persons as the Central Government may direct; and

- (c) all property owned or controlled by the Board shall, until the Board is reconstituted under sub-section (3), vest in the Central Government.
- (3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may reconstitute the Board by a fresh appointment and in such case any person or persons who vacated their offices under clause (a) of subsection (2), shall not be deemed disqualified for appointment.

Provided that the Central Government may, at any time, before the expiration of the period of supersession, take action under this subsection.

- (4) The Central Government shall cause a notification issued under subsection (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT

- Grants and
loans by the
C e n t r a l
Government
- 20. The Central Government may, after due appropriation made by Parliament by law, in this behalf, made to the Board grants and loans of such sums of money as that Government may consider necessary.
- Board Fund
- 21.(1) There shall be constituted a fund to be called the Spices Board Fund and there shall be credited thereto-
 - (a) any grants and loans made to the Board by the Central Government under section 20;
 - (b) all fees levied and collected in respect of certificates granted under this Act; and,
 - (c) all sums received by the Board from such other sources as may be decided upon by the Central Government.
- (2) The Fund shall be applied for meeting-
 - (a) salary, allowances and other remuneration of the members, officers and other employees of the Board;
 - (b) expenses of the Board in the discharge of its functions under section 7; and
 - (c) expenses on objects and for purposes authorised by this Act.

- Budget 22. The Board shall prepare in such form and at such time each financial year, as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Board and forward the same to the Central Government.
- Annual Report 23. The Board shall prepare, in such form and at such time each financial year, as may be prescribed its annual report giving a full account of its activities during the previous financial year and submit a copy thereof to the Central Government.
- Accounts and audit 24. The accounts of the Board shall be maintained and audited in such manner as may, in consultation with Comptroller and Auditor General of India, be prescribed and the Board shall furnish to the Central Government before such date, as may be prescribed, its audited copy of accounts together with the auditor's report thereon.
- Annual report and auditor's report to be laid before Parliament. 25. The Central Government shall cause the annual report and auditor's report to be laid, as soon as may be after they are received, before each House of Parliament.

CHAPTER - VII

MISCELLANEOUS

- Penalty for making false returns 26. Any person who being required by or under this Act to furnish any return fails to furnish such return or furnishes a return containing any particulars which is false and which he knows to be false or does not believe to be true shall be punishable with fine which may extend to five hundred rupees.
- Penalties for obstructing an officer or member of the Board in the discharge of his duties and for failure to produce books and records. 27. Any person who -
- (a) obstructs any member authorised by the Chairman in writing or any officer or other employee of the Board authorised by it in this behalf or any person authorised in this behalf by the Central Government or by the Board, in the exercise of any power conferred, or in the discharge or any duty imposed, on him by or under this Act; or
 - (b) having control over or custody of any account book or other record; fails to produce such book or record when required to do so by or under this Act.
- Shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both,

- Penalty for con-
travention of or-
der relating to
control of price,
etc.
28. (1) If any person contravenes any order made under section 16, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both; and the property in respect of which the order has been contravened or such part thereof as the Court may deem fit, shall be forfeited to the Central Government.
- (2) Any person who attempt to contravene, abets the contravention of any order under section 16 shall be deemed to have contravened that order.
- Penalties for
contravention
of section 11
or any order
made under
section 17. Act
52 of 1962.
29. If any person contravenes the provisions of section 11 or any order made under section 17 he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1962, be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.
- Other penalties
30. Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or of any rules or regulations made there under other than the provisions, punishment for the contravention whereof has been provided for in section 26, 27, 28 and 29, shall be punishable with imprisonment which may extent to six months, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing contravention with an additional fine which may extend to fifty rupees for every day during which such contravention continues after conviction for the first such contravention.
- Offences by
companies
- 31.(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly;
- Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.
- (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of,

any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :- For the purpose of this section,

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| Provisions of Act 52 of 1962 to apply to export of spices and import of cardamom | 32. | <p>(a) “company” means any body corporate and includes a firm or other association of individuals; and</p> <p>(b) “director”, in relation to a firm, means a partner in the firm</p> <p>(a) All spices to which section 11 of this Act applies, and</p> <p>(b) the cardamom to which any order under section 17 of this Act applies,</p> <p>Shall be deemed to be goods of which the import or export has been prohibited or restricted under section 11 of the Customs Act, 1962, and all the provisions of that Act shall have effect accordingly.</p> |
| Previous sanction of the Central Government | 33. | No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Central Government. |
| Delegation | 34. | The Board may, by general or special order in writing, delegate to the Chairman or any other member or to any officer of the Board, subject to such conditions and limitations if any, as may be specified in the order, such of its powers and functions under this Act (except the power under section 39) as it may deem necessary. |
| Members, officers and employees of the Board to be public servants. Act 45 of 1860 | 35. | All members, officers and other employees of the Board shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code. |
| Protection of action taken in good faith | 36. | No prosecution or other legal proceeding shall lie against the Government, or the Board or any committee appointed by it, or any member of the Board or such committee, or any officer or employee of the Government or the Board or any other person authorised by the Government or the Board for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder. |
| Power to enter | 37. | Subject to any rule made in the behalf, any person, generally or specially authorised by the Board in this behalf, may whenever it is necessary so to do, for any of the purposes of this Act, at all reasonable times, enter upon any land or premises and make any inspection or inquiry or do such other Act or thing as may be prescribed; |

Provided that no such person shall enter any building or any enclosed courtyard or garden attached to a dwelling-house (unless with the consent of the occupier thereof) without previously giving such occupier at least twenty-four hours' notice in writing of his intention to do so.

- Power to make rules
- 38.(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purpose of this Act.
- (2) Without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely:-
- (a) the number of members of the Board under sub-section (3) of section 3;
 - (b) the term of office and other conditions of service of the members of the Board under sub-section (5) of section 3;
 - (c) The powers and duties of the Chairman under sub-section (6) of section 3;
 - (d) the powers and functions of the Vice-Chairman under subsection (7) of section 3;
 - (e) the constitution of committees under section 5;
 - (f) the terms and conditions for giving licences to manufacturers of spices for export under clause (viii) of sub-section (1) of section 7;
 - (g) the form and manner in which and the time at which the registered owner may furnish returns to the Board under section 10;
 - (h) the form of the application and the fees under sub-section (1) of section 12;
 - (i) the period of limitation for appeal under sub-section (1) of section 14;
 - (j) the form of appeal and the fees payable under sub-section (1) of section 14;
 - (k) the procedure for disposal of appeal under sub-section (4) of section 14;
 - (l) the form in which, and the time at which, the Board shall prepare its budget under section 22 and its annual report under section 23;
 - (m) the manner in which the accounts of the Board shall be maintained and audited and date before which the audited copy of the accounts may be furnished to the Central Government under section 24;

- (n) the conditions and restrictions with respect to the exercise of the power to enter under section 37;
 - (o) any other matter which is to be, or may be, prescribed or in respect of which provision is to be, or may be, made by rule.
- 39.(1) The Board may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations consistent with this Act and the rules generally to carry out the purposes of this Act.
- Power to make regulations
- (2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-
- (a) the terms and conditions of service of the Secretary and other officers and employees of the Board under sub-section (2) of section 4; and
 - (b) the terms and conditions under which the certificate may be granted under sub-section (2) of section 12.
40. Every rule and every regulation made under this Act 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 session aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made the rule or regulation shall 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 or regulation.
- Rules and regulations to be laid before Parliament
- 41.(1) If any difficulty arises in giving effect to the provisions of this Act the Central Government may, by order, publish in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty;
- Power to remove difficulties
- Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.
- (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and savings.
Act 42 of 1965

- 42.(1) Sections 3 to 33 of the Cardamom Act, 1965 are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the provisions of the said Act shall in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

THE SCHEDULE

[See Section 2 (n)]

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| 1. Cardamom | 27. Pepper long |
| 2. Pepper | 28. Star Anise |
| 3. Chilly | 29. Sweet flag |
| 4. Ginger | 30. Greater Galanga |
| 5. Turmeric | 31. Horse-raddish |
| 6. Coriander | 32. Caper |
| 7. Cumin | 33. Clove |
| 8. Fennel | 34. Asafoetida |
| 9. Fenugreek | 35. Cambodge |
| 10. Celery | 36. Hyssop |
| 11. Aniseed | 37. Juniper berry |
| 12. Bishopsweed | 38. Bay leaf |
| 13. Caraway | 39. Lovage |
| 14. Dill | 40. Marjoram |
| 15. Cinnamon | 41. Nutmeg |
| 16. Cassia | 42. Mace |
| 17. Garlic | 43. Basil |
| 18. Curry leaf | 44. Poppy Seed |
| 19. Kokam | 45. All-Spice |
| 20. Mint | 46. Rosemary |
| 21. Mustard | 47. Sage |
| 22. Parsley | 48. Savory |
| 23. Pomegranate seed | 49. Thyme |
| 24. Saffron | 50. Oregano |
| 25. Vanilla | 51. Tarragon |
| 26. Tejpat | 52. Tamarind |

In any form including curry powders, spice oil, oleoresins and other mixtures where spice content is predominant.

S. No. 27 to 52 added vide notification S. O. No. 3130 dated 8.11.1990.

The Spices Board Rules, 1987

GSR No. 115(E) In exercise of the powers conferred by Section 38 of the Spices Board Act, 1986 (10 of 1986), the Central Government hereby makes the following rules, namely;

CHAPTER - I

PRELIMINARY

1. Short title and commencement:-

- (1) These rules may be called the Spices Board Rules, 1987.
- (2) * They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :- In these rules, unless the context otherwise requires,-

- (a) "Act" means the Spices Board Act 1986 (10 of 1986);
- (b) "Board" means the Spices Board constituted under section 3 of the Act;
- (c) "Committee" means any of the committee appointed by the Board under Section 5;
- (d) "Form" means a form appended to these rules;
- (e) "Secretary" means Secretary to the Board appointed under section 4;
- (f) "Section" means a section of the Act;
- (g) "Vice-Chairman" means Vice-Chairman of the Board;
- (h) "Year" means the year commencing on the first day of April;
- (i) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them.

3. Office of the Board

The Office of the Board shall be located in Cochin, Kerala State

* The Spices Board Rules 1987 were published in the Gazette of India, Extra - Ordinary dated 26 February 1987 in Part II Section 3 - Sub Section (i).

CHAPTER II

THE BOARD AND ITS COMMITTEES

4. Constitution of the Board and the manner of filling vacancies among members

- (I) The composition of the Board shall be as follows:-
- (a) Chairman;
 - (b) three members of Parliament, of whom two shall be elected by the House of the People and one by the Council of States;
 - (c) three members to represent respectively the Ministries of the Central Government dealing with
 - (i) Commerce;
 - (ii) Agriculture, and
 - (iii) Finance;
 - (d) *seven members to represent growers of spices;
 - (e) *ten members to represent the exporters of spices;
 - (f) **three members to represent the major spice producing States;
 - (g) four members, one each, to represent the following;
 - (i) *** The Planning Commission;
 - (ii) The Indian Institute of Packaging, Bombay;
 - (iii) The Central Food Technological Research Institute, Mysore;
 - (iv) *** The National Research Centre for Spices, Calicut.
 - (h) one member to represent spices labour interests.

* Amended as per Govt. of India, Ministry of Commerce Notification No. GSR 74(E) dated 15 February 1990.

** Amended vide Government of India, Ministry of Commerce Notification No. 661 (E) dated 17 July 1987.

*** Amended as per Govt of India, Ministry of Commerce, Notification No. GSR 74(E) dated 15 February 1990.

- (1) A. * The Chairman shall be a person in the grade of the Joint Secretary to the Government of India and his appointment shall be made in consultation with the Establishment Officer of the Department of Personnel and Training, Ministry of Home Affairs, Government of India.
- (2) The Central Government may make such consultations as it thinks fit before appointing representatives of the interests specified in clauses (d) to (h).

5. Term of office of members:-**

- (1) Save as hereinafter provided, a member of the Board shall hold office for such period not exceeding three years from the date of his appointment as may be specified in the notification appointing him as such:

Provided that a member elected or appointed under sub-rule (1) rule 4 shall cease to be such member if he ceases

- (i) to be a member of the House of Parliament by virtue of which he was elected;
- (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 so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.
- (3) *** “The Central Government may re-appoint a member of the Board for not more than two terms of office”.

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 promptly. 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.

* Amended vide Government of India, Ministry of Commerce Notification No. 397 dated 29 June 1990.

** Amended vide Government of India, Ministry of Commerce Notification No. 661 (E) dated 17 July 1987.

*** Amended Vide Govt. Notification G. S. R. 340(E) dated 29.3.93

8. Resignation:

- (1) A member may resign his office by a letter addressed to the Chairman.
- (2) The office of a member shall fall vacant from the date on which the resignation of such member is accepted or on expiry of thirty days from the date of the receipt of resignation by the Chairman, whichever is earlier.
- (3) The Chairman shall communicate the acceptance of the resignation of the member to the Board at its next meeting

9. Removal of Members:

The Central Government may remove any member from office:-

- (a) if he is of unsound mind and stands so declared by a competent Court; or
- (b) if he is an undischarged insolvent; or
- (c) if he is convicted of an offence involving moral turpitude; or
- (d) if, without the leave of the Chairman, he fails to attend three consecutive meetings of the Board; or
- (e) if he defaults in payments of any dues to the Board and is so declared by the Board.

10. Vice - Chairman:

- (1) The Board shall each year elect from among its members a member to be the Vice - Chairman of the Board for a period of twelve months commencing from the date of his election or, if the election is held before expiry of the term of office of an existing Vice-Chairman, from the date on which such Vice-Chairman shall vacate office.
- (2) In the event of the Vice-Chairman resigning his office as such or ceasing to be a member of the Board, the Board shall at its next meeting elect another member to be the Vice-Chairman for the unexpired portion of the term of Office of the Vice-Chairman elected under subrule (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.

11. Appointment of Committees:

- (1) The Committees appointed by the Board under section 5 may be either Executive or Advisory in character and shall exercise such powers and discharge such functions of the Board as may be decided by the Board in conformity with the provisions contained in the Act and these rules.

(2) The Board shall appoint every year the following Standing Committees to exercise such powers and discharge such functions as may be assigned to it under these Rules, namely :-

(i) Executive Committee:

This Committee shall consist of:

- (a) the Chairman of the Board who shall be the ex-officio Chairman of the committee;
- (b) the Vice-Chairman;
- (c) *one of the members appointed under clause(f) of sub-rule (1) of rule 4 to be nominated yearly by rotation.
- (d) the member representing the Ministry of Central Government dealing with Finance;
- (e) The Secretary
- (f) a member to be elected from among the members referred to in clause (d) of sub -Rule (1) of Rule 4.
- (g) a member to be elected from among the members referred to in clause (e) of sub-Rule (1) of Rule 4

(ii) Research and Development Committee for Cardamom:

This committee shall consist of:-

- (a) the Chairman of the Board who shall be the ex-officio Chairman of the Committee;
- (b) the Vice Chairman;
- (c) **one of the members appointed under clause (f) of sub-rule (1) of rule 4 to be nominated yearly by rotation.
- (d) the member representing the Ministry of Central Government dealing with Agriculture;
- (e) one member to represent ELETTARIA CARDAMOM MATON growers;
- (f) one member to represent AMOMUM SUBULATUM ROXB growers;
- (g) ***The National Research Centre for Spices, Calicut;
- (h) officer of the Board in-charge of Cardamom Research;
- (i) officer of the Board in-charge of Cardamom Development;

* Amended vide Government of India Ministry of Commerce Notification No. 661(E) dated 17th July 1987.

** Amended Vide Government of India, Ministry of Commerce Notification No. G. S. R. 503(E) dated 2nd May 89.

*** Amended as per Govt. of India, Ministry of Commerce, Notification No. G. S. R. 74(E) dated 15th February 1990

- (j) * a member to be elected from among the members referred to in clause (e) of sub-Rule (1) of Rule 4.

(iii) Market Development Committee for Spices:

This Committee shall consist of:

- (a) The Chairman of the Board who shall be the ex-officio Chairman of the Committee;
 - (b) The Vice-Chairman;
 - (c) the Director, Central Food Technological Research Institute, Mysore;
 - (d) the member representing the Ministry of Central Government dealing with Commerce;
 - (e) three members to represent trade interests to be appointed by the Board from among themselves;
 - (f) an officer of the export Inspection Agency of India appointed by the Board;
 - (g) the officer of the Board dealing with Spices Market Development;
 - (h) ** two members to be elected from among the members referred to in clause (d) of sub Rule (1) of Rule 4.
- (3) The Board may appoint such other committees from time to time as may be deemed necessary.
- (4) The Chairman of any committee appointed by the Board may require any officer of the Board or invite any person or persons to attend such meetings of the committee but such person or persons shall have no power to vote.

12. Functions of the Committees:

- (a) Executive Committee:

This committee shall exercise the following functions:-

- (i) Such administrative matters as are delegated by the Board;
- (ii) Registration of traders and exporters, examination and acceptance of returns to be made by registered owners of estates, farms, gardens, processing units, publications of the statistics so collected, or of any portions thereof or extracts therefrom;
- (iii) Any other function assigned by the Board.

* Amended vide Govt. of India, Ministry of Commerce Notification No. GSR 503 (E) dated 2nd May 89.

** Amended vide Government of India, Ministry of Commerce Notification No. GSR 503 (E) dated 2nd May 1989 read with corrigendum No. GSR 47 dated 5th January 1990.

- (b) **Research and Development Committee for Cardamom**
This committee shall exercise the following functions:-
- (i) formulation of projects for the development of cardamom;
 - (ii) reviewing implementation of development projects;
 - (iii) assigning priorities for research work to be undertaken by the Board;
 - (iv) reviewing progress of research;
 - (v) any other function assigned by the Board.
- (c) **Market Development Committee for Spices:**
This Committee shall exercise the following functions:
- (i) monitoring of auctions of spices;
 - (ii) formulation of projects for market development in internal markets and for exports;
 - (iii) review of the market conditions relating to Spices;
 - (iv) recommend to Board such matters as are necessary for streamlining of marketing of spices;
 - (v) any other function assigned by the Board.

13. Provision for constitution of a special committee:-

The Board may set up a special committee for undertaking a specific work connected with its functions and appoint members including Chairman for such a committee.

CHAPTER - III

POWERS AND DUTIES OF CHAIRMAN

14. Powers and duties of the Chairman:

The Chairman shall have the following powers and duties:-

- (i) to grant leave to officers and employees of the Board including the Secretary;
- (ii) to prescribe duties of all officers and staff of the Board and exercise such supervision and disciplinary control as may be necessary;
- (iii) to sanction expenditure for contingencies, supplies and services and purchase of articles required for the working of the office of the Board;
- (iv) 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;
- (v) to take decision in respect of matters that cannot wait disposal by the Board or a Committee, as the case may be. The action taken by the Chairman shall be put up to the Board for post facto approval at its next meeting.

Provided that where the Board modifies or reverses the decision taken by the Chairman, such modification or reversion shall be without prejudice to the validity of any action taken before such modification or reversion.

CHAPTER - IV

CERTIFICATE OF REGISTRATION

Application for certification:

- 15.(1) An application for grant of certificate under section 12 shall be made to the Board in Form I.
- (2) Every application for grant of certificate of registration shall be accompanied by a receipt evidencing the payment of fee of rupees two thousand for a block period of three years ending on the 31st August or part thereof. Renewal fee for such period shall be rupees one thousand.¹
- 15(A)(1) ²An exporter of spices who has his own or taken on rent or leased premises having facilities for cleaning, grading, processing, warehousing and packing as given in the Schedule annexed to these rules, may apply to the Board in Form-VI for grant of a Spice House Certificate. The Board on being satisfied as to the facilities available in the premises owned or taken on rent or lease for a period of not less than three years, shall issue a certificate in Form VII. If on inspection at any time, it is found that the exporter does not have such facilities, the Spice House certificate issued to him shall be cancelled.
- (2) The Spice House Certificate shall be valid for three years from the date of issue.
- Provided that the certificate shall be invalid for the period the exporter does not hold a valid Exporter Registration Certificate. Provided further that the certificate shall be renewed if the exporter maintains the facilities referred to in sub-rule (1).

Appeal

- 16.(1) Any person aggrieved by an order of the Board made under section 13 may, within sixty days from the date of making of such order, appeal to the Central Government.
- (2) Every appeal made under sub-section (1) shall be made in Form II and shall be accompanied by a copy of order appealed against and a receipt evidencing the payment of fee of rupees twenty five.
- (3) On receipt of appeal under sub-rule (1), the Central Government shall, after giving a reasonable opportunity to the appellant of being heard, pass such order as it may deem fit.

¹Amended by Govt. of India Notification No. GSR 661(E) dated 19.10.93 issued on F No. 7/2/93 EP (Agri V)

²Amended by Govt. of India Notification No. GSR 636 (E) dt. 10th Sept. 2002.

CHAPTER - V

FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

17. Budget Estimates:

- (1) The Board shall, in each financial year, prepare a budget for the Spices Board for the next financial year and shall submit it for sanction to the Central Government on or before such dates as may be appointed from time to time by the said 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 include a statement of:-
 - (i) the estimated opening balance;
 - (ii) the estimated receipts referred to in sub-section (1) of Section 21 of the Act;
 - (iii) the estimated expenditure classified under the following heads and sub-heads or such other heads and sub-heads as the Central Government may from time to time direct, namely:-

Heads:-

- a) Administration
- b) Production in respect of cardamom development
- c) Market Development
- d) Research
- e) Promotion and Publicity
- f) Statistics
- g) Works
- h) Promoting co-operative efforts for marketing of Spices
- i) Financial or other assistance in respect of spices for exports
- j) Plantation welfare

Sub-heads

- i) Pay of officers
 - ii) Pay of establishment
 - iii) Allowances, honoraria and the like; and
 - 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.

18. Accounts and Audit:-

- * 1. The Board shall maintain proper accounts and other relevant records and prepare annual Income and Expenditure Statement and Balance Sheet in Forms IV, V prescribed by the Central Government in consultation with the Comptroller and Auditor General of India.
- 2. The accounts of the Board shall be audited by the Comptroller and Auditor General of India at such intervals as may be prescribed by him.
- 3. The Comptroller and Auditor General of India shall have the same rights and privileges and authority in connection with the audit of the accounts of the Board as he has in connection with the audit of general accounts and, in particular, shall have the right to demand production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.
- 4. The accounts of the Board as certified by the Comptroller and Auditor General of India together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament at a date not later than the dates specified in this behalf by the Central Government.

19. Payment of fees:

Any fees or amount payable to the Board under the Act or these rules shall be paid either by money order or demand draft drawn in favour of the Board or by Indian Postal Order payable to the Board at a Post Office in Cochin.

20. Annual Report

The annual report of the Board on its activities 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 30th September for being laid on the Tables of both Houses of Parliament.

CHAPTER VI

RETURN TO BE SUBMITTED TO THE BOARD BY REGISTERED OWNER

- 21.(1) Every registered owner shall submit an annual return in respect of each estate owned by him in Form III to the Board for the period from 1st August to 31st July every year. The return shall reach the Board by 16th** August every year.
- (2) Non-submission of the returns in time will be punishable under section 26 of the Act.

* Amended vide Govt. of India Ministry of Commerce Notification No. G. S. R. 503 (E) dated 2 May 89.

** Amended vide Govt. of India, Ministry of Commerce Notification No. GSR 397 dated 29 June 1990

c. Category (Please ✓ where appropriate) [Attach details of share holding pattern and capital to support the category]

Size	Type	Ownership
<input type="checkbox"/> Small scale industry	<input type="checkbox"/> Private sector	<input type="checkbox"/> Multinational Corporation
<input type="checkbox"/> Medium scale industry	<input type="checkbox"/> Public sector	<input type="checkbox"/> Fully Indian owned company
<input type="checkbox"/> Large scale industry	<input type="checkbox"/> Co-operative	<input type="checkbox"/> Joint venture
<input type="checkbox"/> Others (specify)	<input type="checkbox"/> Others (specify)	<input type="checkbox"/> Others (specify)
<input type="text"/>	<input type="text"/>	<input type="text"/>

d. Is the processing unit a 100% EOU (Please ✓ where appropriate) Yes No

e. Location EPZ SEZ

Address

Building No.

Building Name

Street

City PIN

State

f. Facilities available (Please ✓ where appropriate)

Cleaning	<input type="checkbox"/>
Grading	<input type="checkbox"/>
Sieving	<input type="checkbox"/>
Milling	<input type="checkbox"/>
Distillation	<input type="checkbox"/>
Extraction	<input type="checkbox"/>
Sterilization	<input type="checkbox"/>
Packaging	<input type="checkbox"/>
Others	<input type="checkbox"/>
Please specify	<input type="text"/>

- g. Quality testing facilities Pesticide residue
(Please ✓ where appropriate) Aflatoxin
 Chemical constituents
- Contaminants
- Physical
 Chemical
 Microbial
- h. Installed capacity

MT	
----	--
- i. Details of certification ISO
(Please ✓ where appropriate) HACCP
 Organic Production
 Others (pl. specify)

--
14. Working capital available Rs.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
- Capital structure
- Authorised capital Rs.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
- Paid up capital Rs.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
15. Brand Name/Trade mark for export of spices
- | |
|--|
| |
|--|
- a) Whether Brand is registered (Please ✓ where appropriate) Yes No Not applicable
- b) If yes, with whom the brand is registered (Please ✓ where appropriate)
- Spices Board
 Indian Trade Marks Registry
 Overseas Trade Marks Registry

--

(specify Name of the country)

c) Spice products exported/proposed to export with the above brand

16. Countries to which exported / intended to export

DECLARATION

I/We declare that the information given above are true to the best of my/our knowledge and belief and that I/We shall abide by the Spices Board Rules, 1987, the conditions laid down in the Spices Board (Registration as Exporter) Regulation 1989 and any instruction given by the Board from time to time regarding the conducting of business.

Signature

Place:

Name

Date:

Designation

(Seal)

- Note: 1. Application should be accompanied with prescribed fee and other documents.
2. Fee once paid will not be refunded under any circumstances.
3. Details of exports should be given separately for each of the spice.”

* Amended vide Govt of India Notification No. 106 dated 21-6-2004

FORM - II

(See Rule 16)

Appeal against refusal to grant Certificate of Registration for commencing/carrying on the business of export of any spice.

To

The Secretary to the Government of India,
Ministry of Commerce,
New Delhi

The petition of/.....exporter(s) carrying on business or profession.....at

Your petitioner(s) applied; to (obtained sanction from) the Secretary of the Spices Board under Rule 15(1) of the Spices Board Rules for grant of Certificate under section 12 of the Spices Board Act 1986 for commencing or carrying on the business of export of any spice. The Secretary of the Spices Board has refused to grant such a certificate (withdrawn such a certificate already granted) for the reasons stated in his Order dated.....of which a copy is attached.

For the reason set out below your petition (s) submit (s) that the Certificate should be granted/ not be withdrawn and pray(s) that the Ministry of Commerce may be pleased to direct the Secretary of the Spices Board to grant the necessary Certificate/not to withdraw the Certificate

Grounds of Appeal

- 1.
 - 2.
 - 3.
- etc.

Date:

We/I the petitioner(s) named in the above petition do declare that what is stated therein is true to the best of our/my information and belief.

Signature

Address of the Applicant

.....
.....
.....

Notes: (1) Delete the inappropriate words or letters

- (2) The appeal should be accompanied by a fee of rupees twenty five. *It is suggested that the fee should be credited in the treasury or a branch of the Reserve Bank of India obtaining a chalan from the Secretary of the Spices Board and the triplicate chalan sent to the Ministry with the appeal. The Ministry will not accept cheques, drafts, hundies or other negotiable instruments.

* Amended vide Govt. of India, Ministry of Commerce Notification No. GSR 503 (E) dated 2 May 89.

FORM - III

(See Rule 21)

Form of return to be submitted by Registered Cardamom Estate Owners

1. Name and Postal address of the Estate Owner :
2. Name of the Estate :
3. Name of District/Taluk/Village in which the Estate is located :
4. Survey Numbers :
5. Registration No. & Date :
6. Registered area under cardamom :
7. Area abandoned as on 31.7.19 :
8. New extension of area as on 31.7.19 :
9. Total area under cardamom as on 31.7.19 :
10. Area under other crops as on 31.7.19 :
11. Area under Roads/Buildings/waste land as on 31.7.19 :
12. Total area of the Estate as on 31.7.19 (Total col. 9 10 11) :
13. Area replanted under cardamom during the year ending 31.7.19 :
14. Production of cardamom during the year ending 31.7.19 :
15. Number of labourers
 - a. Permanent.
 - b. Temporary
16. Amenities provided for the labourers
 - a. Hospitals
 - b. School
 - c. Labour lines
 - d. Others (Specify)

FORM - IV

(See Rule 18)

SPICES BOARD, COCHIN - 682 025

INCOME AND EXPENDITURE STATEMENT FOR THE PERIOD ENDED

Expenditure	Rs.	Ps.	Rs.	Ps.	Income	Rs.Ps.	Rs.Ps.
1	2	3	4	5	6	5	6
Administration No.					1. Proceeds of cess made over to the Board under Sec. 21 of the Spices Board Act. Less : Amount utilised for acquisition of the fixed assets.		
Publicity & Propaganda					2. Grant-in-aid paid to the Board by Government of India under Sec-20 of the Spices Board Act. Less : Amount utilised for acquisition of the fixed assets.		
Market Promotion					3. Grant in-aid received from other Agencies. 4. Fees levied in respect of licences issued under the Act.		
Statistics					5. Proceeds of sale of Cardamom seedlings.		
Plantation labour welfare Research (Small Cardamom)					6. Interest on loans granted to planters.		

Expenditure	Rs.	Ps.	Rs.	Ps.	Income	Rs.Ps.	Rs.Ps.
1	2	3	4	5	6		
Development (Small Cardamom)					7. Subscription to periodicals, advertisements, receipts, sale of cardamom from Research farms, proceeds of promotional sale of cardamom and other miscellaneous receipts etc.		
Research (Large Cardamom)							
Development (Large Cardamom)							
Others							
Depreciation as per Schedule appended.							

FORM - V

(See Rule 18)

SPICES BOARD COCHIN - 682 025

BALANCE SHEET AS ON

Liabilities	Rs.	Ps.	Rs.	Ps.	Assets	Rs.	Ps.	Rs.	Ps.
Loans taken from Government of India					Closing Balance				
Outstanding Liabilities					Outstanding Receipts				
Amount of Cess and Grants utilised for acquisition of fixed assets as on.....									
Add : Amount utilised during					Prepaid expenditure				
Reserve and surpluses					Advance to staff loans to planters				
					Co-operation				
					Land & Buildings				

Liabilities	Rs.	Ps.	Rs.	Ps.	Assets	Rs.	Ps.	Rs.	Ps.
					Motor vehicles				
					Furniture & Fittings				
					Laboratory Equipments				
					Research (Small Cardamom)				
					Research (Large Cardamom)				
					Other Assets				
					Publicity Research (Small Cardamom)				
					Departmental Nursery Scheme				
Excess of Income over Expenditure as on.....					Research (Large Cardamom)				
Less : Excess of expenditure over									
Income during					Development (Large Cardamom) Seed Farms.				

10. General hygienic facilities Available (Please ✓ where appropriate)
 (Please read the schedule attached before filling)

- i) Washing facilities Yes No
- ii) Detergents Yes No
- iii) Towels Yes No
- iv) Dressing room for workers Yes No
- v) Toilet facilities for males Yes No
- vi) Toilet facilities for females Yes No
- vii) Head gears for workers Yes No
- viii) Mouth cover for workers Yes No
- ix) Facilities for disposal of waste material Yes No
- x) Any other facilities (specify) Yes No

--

11. Product for which Spice House Certificate is applied for
 (Separate application for each spice product is required)

12. Facilities available
 Furnish details of facilities with equipment/machinery. If required attach additional sheet.

A. Cleaning	
B. Drying	
C. Processing	

D. Grading	
E. Packaging	
	Unit weight of packs
	Packing material
F. Ware housing	
G. Quality control	
H. Others (specify)	

DECLARATION

I/We, declare that the information given above are true to the best of my/our knowledge and belief. I/We have carefully read the provisions of the Spices Board Rules, 1987 and shall abide by them.

Signature

Name

Designation”

Place:

Date:

FORM VII

(See Rule 15A)

SPICE HOUSE CERTIFICATE

SPICES BOARD

(Ministry of Commerce, Government of India, Cochin - 25)

Number.....

45

M/s..... exporter of spices having Exporter Registration number are hereby granted this Spice House certificate on the basis of their facilities for cleaning, processing, grading, warehousing, packaging of spices/spice products.

This Certificate is valid up to the.....day of.....

Place : Cochin

Officer authorised by the Board

Date :

(Seal)

No. “2SCHEDULE

Minimum facilities required for spices and spice products processing units to qualify for Spice House Certificate

I. PROCESSING:-

1) Premises and surroundings	The surroundings shall be clean to avoid physical, chemical and microbial contamination and any hazard to the product in process or to the personnel employed in the unit. The immediate approaches to the premises shall be hard surfaced to prevent wind blown dust.
2) Building:	The building shall be of permanent nature with adequate lighting, providing protection from climatic hazards and laid out to prevent cross contamination of the material. Residential areas shall be separate to preclude contamination. Adequate measures shall be provided to protect food handling areas from insects, rodents and animals. Ceiling, walls and floor shall be smooth, impermeable to water and cleanable. The doors and windows shall be aligned properly and provided with insect proofing. Suitable exhaust vents shall be provided.
3) Change rooms:	There shall be separate change rooms for male and female workers near the entrance of the work area with required facilities. Clean working clothes, aprons, headgears and mouth covers should be provided/used while engaged in any process in the unit.
4) Machineries and Equipments:	There shall be suitable machinery for processing of spices in adequate number and capacity depending upon the raw material, process technology adopted and finished product. Machineries shall be kept in good conditions, well maintained.
5) Utensils, Work tables and containers:	Utensils, Work tables and containers used for edible materials shall be smooth, corrosion resistant and easy to clean. Utensils used for edible materials and non-edible materials shall be separate and shall be identified as such.
6) Boiler:	If steam is required for processing, boiler of suitable capacity shall be installed and shall meet the statutory regulation applicable to it.
7) Water:	Water used for processing and for sanitation purposes shall be potable and shall meet the relevant ISI specifications.
8) Effluent treatment:	There shall be suitable effluent treatment system meeting the relevant statutory regulations.

9) Maintenance:	There shall be documented maintenance schedule for the premises, building, machinery, instruments attached to machinery and monitoring and testing devices shall be calibrated.
10) Toilets:	There shall be adequate number of sanitary type toilets, with running water.

II. CLEANLINESS, SANITARY AND HYGIENIC STANDARDS:

1) Hygiene of Personnel	a) The highest possible cleanliness shall be observed by personnel directly handling spices, food contact surfaces and packing material. Personnel shall be free from contagious diseases.
2) Hygiene in the unit	b) Food contact areas, floors, walls, partitions, ceilings and roof linings, machinery, equipments, utensils, toilets, sanitation facilities etc shall be kept clean and in good condition. The processing premises should be free from rodents, pests, insects, vermin, birds and animals and pets and the same should be documented. Rodenticides, pesticides, etc used shall not contaminate the area and shall be handled only by trained personnel.
3) Control of contamination from metal, glass, etc.	There shall be properly documented policy to control contamination from metal, glass, etc. All lighting should have proper protection covers.

III. WAREHOUSING FACILITIES:

1) Raw material/ Finished goods storage:	There shall be raw material godown(s) of adequate space having tightly fitting doors, smooth floor and walls. Finished goods store shall have adequate facility including environmental conditions as required depending upon the material. Rodent and pest control arrangements shall be available in the storage.
2) Drying yard:	If mechanical dryers are used the same shall be suitable and of adequate capacity. If the fuel used is other than electricity, there shall not be any chance for contamination by the fuel material. In the absence of mechanical dryer of adequate capacity, there shall be drying yard of adequate space and the drying yard shall be smooth, having sufficient and suitable slope with facility for protection from birds and animals. The yard shall be skirted and there shall be facility for sanitizing feet and hand at the entrance.

IV. QUALITY ASSURANCE

1) Labroatory	There shall be a laboratory with adequate testing facility depending upon the raw material, process, and product. The laboratory shall be manned by qualified and experienced technical personnel. Test reports shall be documented in proper registers. Raw materials, in process and finished products shall be subject to regular tests and registers maintained shall document the analytical data.
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V. PACKAGING & GRADING:

Packaging	There shall be a well laid out packaging system either automatic or semi automatic which would minimize the direct contact with the contents of the packaging to ensure that there is not contamination. There shall be facilities for grading the spice produce/products of different specifications.
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VI. CERTIFICATION REQUIREMENTS:

Certification requirements	The unit shall be certified under ISO 9000 and HACCP/GMP by any of the approved agencies, provided that holders of Spice House Certificate may be given relaxation of this condition for a maximum period of one year from the date of the notification.”
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[F. No. 5/1/2002-EP (Agri-V)]
S.S. KAPUR, Jt. Secy.

NOTE: The principal rules were published in the Gazette of India vide No. GSR 115 (E) dated 26th February, 1987 and have been amended vide notifications:-

- (1) notification No. GSR 661 (E) dated 17th July, 1987;
- (2) notification No. GSR 503 (E) dated 2nd May, 1989;
- (3) notification No. GSR 47 (E) dated 5th January, 1990;
- (4) notification No. GSR 74 (E) dated 15th February, 1990;
- (5) notification No. GSR 397 (E) dated 29th June, 1990;
- (6) notification No. GSR 340 (E) dated 29th March, 1993;
- (7) notification No. GSR No. 661 (E) dated 19th October, 1993.
- (8) ¹ & ² notification No. GSR No. 636 (E) dated 10th September 2002

The Spices Board Act, 1986

CONTENTS

CHAPTER -1

PRELIMINARY

SECTIONS	Page
1. Short title, extent and commencement	1
2. Definitions	1

CHAPTER - II

THE SPICES BOARD

3. Constitution and incorporation of Board	2
4. Secretary and other officers	4
5. Advisory Committees	4
6. Transfer of assets and liabilities of the Cardamom Board and the Spices Export Promotion Council to the Board	4
7. Functions of the Board	5

CHAPTER - III

REGISTRATION OF OWNERS OF CARDAMOM ESTATES

8. Registration of owners of cardamom estates	6
9. Power of State Government to make Rules	7
10. Returns to be made by registered owners	7

CHAPTER - IV

CERTIFICATE FOR EXPORT OF SPICES

11. No person to export spices without certificate	7
12. Grant of certificate	7
13. Cancellation, suspension, etc. of certificate	8
14. Appeal	8
15. Power to permit export without certificate	9

CHAPTER - V

CONTROL BY THE CENTRAL GOVERNMENT

16. Power to control price and distribution of cardamom	9
17. Power to prohibit or control import of cardamom	10

18. Power of the Central Government to issue directions	10
19. Power of the Central Government to supersede the Board	10

CHAPTER - VI

FINANCE, ACCOUNTS AND AUDIT

20. Grants and loans by the Central Government	11
21. Board Fund	11
22. Budget	12
23. Annual Report	12
24. Accounts and Audit	12
25. Annual Report and Auditor's Report to be laid before Parliament	12

CHAPTER - VII

MISCELLANEOUS

26. Penalty for making false returns	12
27. Penalties for obstructing an Officer or Member of the Board in the discharge of his duties and for failure to produce books and records	12
28. Penalty for contravention of order relating to control of price, etc	13
29. Penalties for contravention of Section - 11 or any order made under Section - 17 Act 52 of 1962	13
30. Other penalties	13
31. Offences by Companies	13
32. Provisions of Act 52 of 1962 to apply to export of Spices and import of Cardamom	14
33. Previous sanction of the Central Government	14
34. Delegation	14
35. Members, Officers and Employees of the Board to be public servants Act 45 of 1860	14
36. Protection of action taken in good faith	14
37. Power to enter	14
38. Power to make Rules	15
39. Power to make Regulations	16
40. Rules and Regulations to be laid before Parliament	16
41. Power to remove difficulties	16
42. Repeal and Savings Act 42 of 1965	17
43. The Schedule	17

The Spices Board Rules, 1987

CHAPTER - I

PRELIMINARY

RULE	Page
1. Short title, extent and commencement	18
2. Definitions	18
3. Office of the Board	18

CHAPTER - II

THE BOARD AND ITS COMMITTEES

4. Constitution of the Board and the manner of filling vacancies among members	19
5. Term of Office of Members	20
6. Membership Roll	20
7. Change of Address	20
8. Resignation	21
9. Removal of Members	21
10. Vice-Chairman	21
11. Appointment of Committees	21
12. Functions of the Committees	23
13. Provision for constitution of a Special Committee	24

CHAPTER - III

POWERS AND DUTIES OF CHAIRMAN

14. Powers and duties of Chairman	24
-----------------------------------	----

CHAPTER - IV

CERTIFICATE OF REGISTRATION

15. Application for Certificate	25
16. Appeal	25

CHAPTER - V
FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

17. Budget Estimates	26
18. Accounts and Audit	27
19. Payment of fees	27
20. Annual Report	27

CHAPTER - VI

21. Return to be submitted to the Board by registered owner	27
Form I Application for grant of Certificate of Registration/Renewal as Exporter of spices	28
Form II Appeal against refusal to grant Certificate of Registration for commencing/carrying on the business of export of any spice	34
Form III Form of Return to be submitted by Registered Cardamom Estate Owners	36
Form IV Income and Expenditure Statement for the period ended	37
Form V Balance Sheet	39
Form VI Application for grant of Spice House Certificate	41
Form VII Spice House Certificate	45