

No.K-39019/2/2021-Plant B
Govt. of India
Ministry of Commerce & Industry
(Department of Commerce)

Udyog Bhawan, New Delhi
Dated 10th January, 2022

Office Memorandum

Subject: Repeal of Coffee Act, 1942 and enactment of Coffee (Promotion and Development) Bill 2022-reg

Department of Commerce is proposing to repeal Coffee Act, 1942 and enactment of Coffee (Promotion and Development) Bill 2022. A copy of the draft Bill is placed on the Department of Commerce Website (<https://commerce.gov.in/>) for seeking comments from public/stakeholders etc. till 21 January 2022. Comments may be sent to undersigned within specified time.


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Encl: As above

Explanatory Note for the proposed draft Coffee (Promotion and Development) Bill

2022

The Coffee Act 1942 was enacted in the wake of the 2nd World War with the aim to make arrangement to protect the Coffee Industry from adverse effects of the War. The Act empowered the Coffee Board to control marketing of entire coffee produced in India and regulate its sale in the domestic and international market. Planters were required to pool coffee with the Board, which had full control over its price and marketing. At the same time, all owners of coffee estates were required to register their estates with the State government authorities. On receipt of coffee into the Pool known as 'Surplus Pool', it was the responsibility of the Coffee Board to cure, store and dispose it in markets. The Board was also responsible for making payments to the registered owners from out of the Pool Fund after subtracting expenses.

Commencing from the year 1992-93, the pooling system of Coffee was dismantled and gradually replaced by Free Sale. From July 1996 onwards, the pooling system of coffee has come to an end and the Board has wound up its marketing activities. All growers and curers are now allowed to market their entire produce without intervention of the Coffee Board.

The activities of the Coffee Board are now increasingly focused on production, development, research, quality upgradation and market intelligence. It has therefore, become necessary that the existing arrangements for production, pooling and marketing of Coffee are abolished and a liberal regime for functioning of coffee growers, industry and trade is put in place. At the same time, the Coffee Board has to be strengthened to assist the coffee sector in development and growth. Having regard to these developments, it is proposed that the Coffee Act 1942 is repealed and replaced with a modern legislation.

Rationale for repeal of the Coffee Act, 1942

The principal reason for repealing the Coffee Act, 1942 is that substantive portion of the existing Act dealing with pooling and marketing of coffee have become redundant/ inoperative. Several other provisions need amendment in some form. Further, the legal regime has to be enabled to address several areas of modern functions of the Coffee Board, namely, support for production, research, extension, quality improvement, promotion of coffee and skill development of coffee growers. Many of these activities were originally not included in the mandate of the Coffee Board but now need to be incorporated into its functions and powers.

Accordingly, it is proposed that the Coffee Act, 1942 is repealed and a new legislation is enacted to reflect the present realities and objectives.

COFFEE (PROMOTION AND DEVELOPMENT) BILL, 2022	
<p style="text-align: center;">A BILL</p> <p style="text-align: center;">to promote and develop the Indian Coffee industry, enable the functioning of a modern Coffee Promotion and Development Board, to implement the obligations of India under any international convention, agreement, or protocol in relation to the Coffee industry, and for matters connected therewith or incidental thereto</p>	
BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—	

<p style="text-align: center;">CHAPTER I</p> <p style="text-align: center;">PRELIMINARY</p>	
Short title, extent, and commencement	<p>1. (1) This Act may be called the Coffee Promotion and Development Act, 2022.</p> <p>(2) It shall extend to the whole of India.</p> <p>(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.</p>
Definitions	<p>2. In this Act, unless the context otherwise requires –</p> <p>(a) “advisories” means non-binding standards and guidance issued by the Board for promotion and development of the Coffee industry;</p> <p>(b) “Board” means the Coffee Board established under section 12 of this Act;</p> <p>(c) “Chairperson” means the Chairperson of the Board appointed under clause (a) of sub-section (1) of section 13 of this Act;</p> <p>(d) “Chief Executive Officer” means the Chief Executive Officer appointed under clause (c) of sub-section (1) of section 13 of this Act;</p> <p>(e) “Chief Financial Officer” means the Chief Financial Officer appointed under clause (d) of sub-section (1) of section 13 of this Act;</p> <p>(f) “Coffee” means the beans and cherries of Coffee plants, whether parchment, green, or roasted, and includes products from these fruits and seeds in different stages of processing and use, such as ground, decaffeinated, liquid, and soluble</p>

	<p>Coffee;</p> <p>(g) “curer” means any person who is engaged in the curing of Coffee;</p> <p>(h) “curing” means the application to raw Coffee of mechanical or manual processes other than pulping for the process of preparing it for marketing;</p> <p>(i) “estate” means any area administered as one unit which contains land primarily planted with Coffee plants;</p> <p>(j) “export” means taking out of India by land, sea, or air;</p> <p>(k) “exporter” means any person who is engaged in the export of Coffee;</p> <p>(l) “Fund” means the Fund constituted under section 20 of this Act;</p> <p>(m) “grower” means the owner of an estate, and includes any agent of such owner, and a mortgagee, lessee, and any other person in actual possession of such estate;</p> <p>(n) “India” means the territory of India;</p> <p>(o) “large grower” means a grower who is not a small grower;</p> <p>(p) “member” means a member of the Board appointed under section 13, and includes the Chairperson, the Chief Executive Officer, and the Chief Financial Officer;</p> <p>(q) “prescribed” means prescribed by rules made under this Act;</p> <p>(r) “re-import” means bringing back into India, by land, sea, or air any Coffee which had been exported;</p> <p>(s) “small grower” means a grower the size of whose estate does not exceed 10 hectares;</p> <p>(t) “specified” means specified by regulations made by the Board under this Act;</p>
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CHAPTER II

PROMOTION AND DEVELOPMENT	
PART I	
PROMOTION SCHEMES AND QUALITY ENHANCEMENT	
Objectives	<p>3. The Central Government and the Board as the case may be, while exercising its powers, discharging its functions, or undertaking any other activity under this Act, shall be guided by the following objectives, namely:-</p> <p>(a) Optimising production, sale, and consumption of Coffee, which may include:-</p> <ul style="list-style-type: none"> (i) promoting the export of Coffee; (ii) promoting the sale and consumption of Coffee, including through e-commerce platforms; (iii) promoting the quality of Coffee which is grown and consumed in India, and exported from India with a view to enhancing consumer satisfaction and benefits to the Coffee industry; (iv) promoting and furthering the interests of growers, curers, exporters and other stakeholders in the Coffee industry; (v) assisting in transfer of technology relevant to Coffee to growers, curers, and other entities carrying on business in the Coffee industry; (vi) promoting the sustainable cultivation of Coffee; (vii) Increasing production of Coffee by bringing more suitable areas across India (viii) Increasing productivity of Coffee to ensure remunerative income to growers; (ix) providing support and encouragement to growers, including transfer of technology; (x) encouraging fair and remunerative prices for growers; (xi) safeguarding the interests of Coffee plantation workers; (xii) enhancing the capacity of Coffee communities; (xiii) developing a sustainable Coffee sector in economic, social, and environmental terms; and (xiv) increasing awareness among the general public about the Coffee industry in India. <p>(b) Promoting economic, scientific, and technical research into the Coffee industry, which may include:-</p> <ul style="list-style-type: none"> (i) collecting, analysing, and disseminating economic, scientific, technical data, information, statistics, and studies relating to the Coffee industry in India; (ii) producing research on diseases and pests affecting Coffee plants in India; (iii) studying the best available technologies for pest control, and minimizing the use of environmentally hazardous chemicals for such purpose; (iv) promoting an understanding of plant ecology, physiology, and pathology among growers; and

	(v) aligning the practices in the Coffee industry in India with global best practices.
Measures, activities, promotion schemes etc. by Board	4. In order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 19, the Board shall undertake such measures and activities as it may deem fit, including promotion, development, and incentive schemes, seminars, workshops, research activities and other similar programmes.
Issuance of directions and advisories by the Board	5. In order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 19, the Board may issue directions or advisories to growers, curers, exporters, and such other persons in the Coffee industry, or any class thereof, as it may deem fit: Provided, every direction issued shall be complied with by such person in the Coffee industry to whom such direction has been issued.
Principle of proportionality	6. (1) Where the Board specifies any regulations under section 29 or issues any directions under section 5, it shall ensure that such regulations or directions are accessible, reasonable, and proportionate to the objectives enlisted under section 3: <i>Explanation.</i> — Nothing in this sub-section shall apply to any action taken by the Board in furtherance of a direction issued by the Central Government under section 26. (2) No measures or activities undertaken under section 4, or directions and advisories issued under section 5, or regulations specified under section 29 shall be called into question in any court only on the ground that such measures or activities, or directions, or advisories, or regulations, as the case may be, are not in accordance with this section or section 3.
PART II COMPLIANCES	
Certificate of registration for curing	7. (1) Every curer shall be liable to obtain a certificate of registration issued by the Board in such form and manner, subject to such conditions and the payment of such fee, and with effect from such date as may be specified. Provided that the Central Government may by notification in the Official Gazette exempt such persons or class of persons from the provisions of this sub-section. (2) The certificate of registration shall be issued or rejected after due verification in such manner and within such period as may be specified. (3) The certificate of registration shall be deemed to have been issued after the expiry of the period specified under sub-section (2), if no deficiency has been communicated to the applicant within that period. (4) A certificate of registration issued, or deemed to have been issued under this section shall remain valid unless it is cancelled or suspended.

Certificate for export	<p>8. (1) Any exporter who requires a certificate in order to export Coffee pursuant to an international agreement or convention may apply to the Board in such form as may be specified, and upon the satisfaction of the terms and conditions laid out in such international agreement or convention, the Board shall issue such certificate to the exporter.</p> <p>(2) Notwithstanding anything in sub-section (1), the Board may by notification in the Official Gazette and subject to such terms and conditions as may be specified, require that no Coffee shall be exported or re-imported without obtaining a certificate under sub-section (1).</p>
Inspection	<p>9.(1) The Board shall have the power to inspect or to get inspected</p> <ul style="list-style-type: none"> (a) any estate or any land in which Coffee is grown to satisfy itself that all recommended measures are carried out by the owner to prevent flare up of pests and diseases. (b) the Curing, Roasting, Grinding and Instant Coffee Manufacturing Units to satisfy itself that such establishments are adhering to the quality standards prescribed. (c) Coffee being exported or imported to satisfy itself that such Coffee is in accordance with the quality standards prescribed by the Board and advise the customs authorities to stop export or entry of such Coffee that does not comply with such quality standards. <p>(2) Any employee of the Board authorized to exercise the power under this section, may enter at all reasonable times any estate or any Curing establishment or any place where Coffee is stored or exposed or processed and may require the production for his inspection of any records kept therein, or ask for any information relating to the production, storage, processing or sale of Coffee and make any inspection or inquiry or perform such other act or function as may be prescribed.</p> <p>(3) Upon inspection, if any of the curing units is found to be not adhering to quality standards specified, the designated officer of the Coffee Board shall cause a notice to be issued to such curing unit to comply with the shortcomings within the specified time limit. If the curing unit to whom the notice has been served fails to comply with the directions issued, the designated officer shall pass a speaking order cancelling the registration of the curing unit.</p>
Employees of Coffee Board to be public servants	<p>10. All employees of Coffee Board, when acting or purporting to act in pursuance of section 9, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Act No. 45 of 1860).</p>
Appeal	<p>11. (1) Any person aggrieved by an order passed by the designated officer, under sub-section (3) of section 9, within such specified period of passing of the order, prefer an appeal to the Chief Executive Officer of the Coffee Board, in such form and manner, and subject to such other conditions as may be prescribed.</p>

	(2) If the Chief Executive Officer after providing due opportunity of being heard to the Appellant, passes an order of upholding the order of the designated officer, then the second appeal shall lie with the authorized officer of the Central Government. The aggrieved person may appeal to the authorised officer within such time, in such form and manner, and subject to such other conditions as may be prescribed.
CHAPTER III	
COFFEE PROMOTION & DEVELOPMENT BOARD	
Establishment and Incorporation of the Board	<p>12. (1) Notwithstanding anything contained in section 32, the body corporate by the name of "Coffee Board" constituted under sub-section (1) of section 4 and incorporated under section 5 of the Coffee Act, 1942 (Act No. 7 of 1942), shall be the Coffee Board for the purposes of this Act.</p> <p>(2) The Board shall be a body corporate by the name Coffee Board, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.</p>
Composition of the Board	<p>13. (1) The Board shall consist of the following members not exceeding 21:—</p> <ul style="list-style-type: none"> (a) a Chairperson; (b) three members of Parliament; (c) a Chief Executive Officer; (d) a Chief Financial Officer; and (e) such number of other members not exceeding fifteen representing:— <ul style="list-style-type: none"> (i) Governments of the Coffee growing States; (ii) Coffee-growers; (iii) Coffee trade interests; (iv) Curing establishment; (v) Interests of Labour; (vi) Interest of Value-Added Coffees; (vii) Eminent Scientist; and (viii) Such other interests as in the opinion of the Central Government, ought to be represented on the Board. <p>(2) The manner of filling vacancies among the members of the Board shall be such as may be prescribed.</p>
Qualifications for appointment	<p>14. (1) The Chairperson and members of the Board shall be persons of ability and integrity having experience and knowledge of at least five years in matters relating to the Coffee industry, governance, law, development, economics, finance, management, public affairs or administration.</p> <p>(2) The qualification in sub-section (1) is only applicable to members other than Members of Parliament and official members</p>
Term of office and other	<p>15. (1) The term of office of, salaries, remuneration, or other allowances payable to, and the other terms and conditions of service of the Chairperson and other members shall be such as may be prescribed.</p>

conditions of service of Chairperson and other members	<p>(2) 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.</p> <p>(3) Any officer of the Central Government when deputed by that Government to the Coffee Board shall have the right to attend meetings of the Board and take part in the proceedings thereof but shall not be entitled to vote.</p>
Chairperson	<p>16. (1) The Chairperson shall preside over the meetings of the Board, and without prejudice to any provision of this Act, exercise and discharge such other powers and functions of the Board as may be prescribed.</p> <p>(2) In the absence of the Chairperson in a meeting, the Board may elect any member who is present to preside over such meeting.</p>
Chief Executive Officer	<p>17. (1) There shall be a Chief Executive Officer of the Board who shall have administrative and financial powers; and control over all departments and employees of the Board and shall exercise such other powers and perform such duties as may be prescribed.</p> <p>(2) Notwithstanding anything contained in this section, the Board may delegate to the Chief Executive Officer, subject to such conditions and in such manner as may be prescribed, such of its powers and functions as it may deem necessary.</p>
Vacancies, etc., not to invalidate proceedings of the Board	<p>18. No act or proceeding of the Board shall be invalid merely by reason of—</p> <p>(a) any vacancy in, or any defect in the constitution of, the Board;</p> <p>(b) any defect in the appointment of a person as Chairperson or member of the Board; or</p> <p>(c) any irregularity in the procedure of the Board not affecting the merits of the case.</p>
General powers & functions of the Board	<p>19. (1) The Board shall be responsible for the promotion and development of the Indian Coffee industry.</p> <p>(2) Without prejudice to the generality of sub-section (1), the powers and functions of the Board include—</p> <p>(a) taking such steps as it deems necessary in order to achieve its objectives enlisted under section 3;</p> <p>(b) monitoring and propagating data and other information regarding the demand for and marketability of Coffee in India and in the foreign market;</p> <p>(c) supplying scientific and technical advice aimed at improving the production, manufacture, supply, and distribution of Coffee;</p> <p>(d) undertaking, assisting or encouraging scientific, technological and economic research;</p> <p>(e) collecting statistics from such stakeholders in the Coffee industry</p> <p>(f) planning and implementation of human resource training and skill development in line with the needs of Coffee industry;</p> <p>(g) securing better working conditions and the provisions and improvement of amenities and incentives for workers;</p> <p>(h) taking steps either by itself or through accredited agencies to ensure quality standards for Coffee produced in India are maintained;</p> <p>(i) collaborating and cooperating with national and international scientific and economic bodies dealing with plantation crops for the benefit of the Coffee industry;</p>

	<ul style="list-style-type: none"> (j) collaborating and cooperating with any department of the Central or State Governments relating to the promotion and development of the Indian Coffee industry; (k) subscribing to the share capital of or entering into any arrangement or other arrangements (whether by way of partnership, joint venture or any other manner) with any other body corporate for the purpose of promoting the development of Coffee industry or for promotion and marketing of Coffee in India or elsewhere; (l) advising the Central Government on all matters relating to the promotion and development of the Coffee industry, including but not limited to the export and re-import of Coffee; (m) advising the Central Government with regard to participation in any International Conference or scheme relation to the Coffee industry; (n) providing advisory services on matters including but not limited to research, testing, and training, to such other class of persons upon the payment of such fee or other charges as may be specified; (o) any other actions in the interest of Coffee industry.
<p>CHAPTER IV</p> <p>FINANCE, ACCOUNTS & AUDIT</p>	
Coffee Promotion & Development Fund	<p>20. (1) The Board shall maintain a Fund to be called the Coffee Promotion & Development Fund.</p> <p>(2) The following shall be credited to the Coffee Promotion & Development Fund—</p> <ul style="list-style-type: none"> (a) all sums transferred to, or vested in the Board; (b) any grants and loans made to the Board by the Central Government; (c) all fees levied and collected in respect of certificates of registration issued and any other fees or charges collected under this Act or the rules and regulations made thereunder; (d) all sums received by the Board from such other sources as may be decided upon by the Central Government; and (e) all assets transferred from the erstwhile General fund under the Coffee Act, 1942 (Act No. 7 of 1942). (f) all assets transferred from the erstwhile Pool fund under the Coffee Act, 1942 (Act No. 7 of 1942). <p>(3) The fund shall be applied—</p> <ul style="list-style-type: none"> (a) to meet the salary, pension, pensionary benefits, remuneration, and other allowances of the members, officers and staff of the Board as applicable; (b) to meet the expenses relating to such measures as the Board may undertake under this Act from time to time in order to achieve the objectives enlisted in section 3, and in exercise of its general powers and functions under section 19; (c) to meet the other administrative expenses of the Board and any other expenses authorised by or under this Act; (d) to repay loans; and (d) to settle any liabilities arising out of legal proceedings.

Power to borrow	21. The Board may, from time to time, with the previous sanction of the Central Government and under such conditions as may be prescribed, borrow any sum required for any of the purposes for which it is authorized to expend under this Act, from – (a) any bank or other financial institution by taking loan; or (b) the public by issue of bonds or debentures or any such instrument in the form and manner approved by the Central Government.
Accounts and audit	22. The accounts of the Board shall be maintained and audited in such manner as may, in consultation with the 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 auditors' report thereon.
Annual report	23. (1) The Board shall prepare, in such form and manner 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. (2) The annual report prepared under sub-section (1) shall contain:- (a) a description of all the activities of the Board for the previous year; (b) such other details as may be provided any law for the time being in force.
Auditor's report and annual report to be laid before Parliament	24. The Central Government shall cause the auditor's report under section 22 and the annual report under section 23 to be laid, as soon as may be after they are received, before each House of Parliament.
CHAPTER V MISCELLANEOUS	
Power of Central Government to supersede the Board	25. (1) If at any time the Central Government is of the opinion— (a) that on account of grave emergency, the Board is unable to discharge the functions, duties and powers 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, in achieving the objectives enlisted in section 3, or in exercising its general powers and functions under section 19, 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 stated in the notification. (2) Upon the publication of a notification under sub-section (1) superseding the Board,—

	<p>(a) all the members shall, as from the date of supersession, vacate their offices as such;</p> <p>(b) the general powers and functions 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</p> <p>(c) all property owned or controlled by the Board shall, until the Board is reconstituted under sub-section (3), vest in the Central Government.</p> <p>(3) On the expiration of the period of supersession stated 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 sub-section (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 sub-section.</p>
Power of Central Government to issue directions	<p>26. Without prejudice to the foregoing provisions of this Act, the Board, in discharge of its general powers and functions under this Act, shall be bound by such directions 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.</p>
Protection of action taken in good faith	<p>27. No suit, prosecution or other legal proceedings shall lie against the Central Government, the Board, or any officer, member, or employee thereof for anything which is done or intended to be done in good faith under this Act or the rules or regulations made, or standards notified thereunder.</p>
Power to make rules	<p>28. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-</p> <ol style="list-style-type: none"> the Constitution of the Board, the number of persons to be appointed as members from each of the categories specified in section 13 of this Act, the term of office and other conditions of service, or, the procedure to be followed by, and the manner of filling vacancies among the members of the Board; the circumstances in which, and the authority by which, members may be removed; the procedure to be followed at meetings of the Board for the conduct of business and the number of members which shall form a quorum at a meeting; the maintenance by the Board of records of business transacted by the Board and the submission of copies thereof to the Central Government; the holding of a minimum number of meetings of the Board every year; the procedure of appointment, qualification, terms and conditions of service and powers & functions of the Chief Executive Officer and Chief Financial Officer;

	<ul style="list-style-type: none"> g) the powers of the Board, its Chief Executive Officer with respect to the incurring of expenditure; h) the other powers and functions of the Board which shall be discharged by the Chairperson under sub-section (1) of section 16; i) the other powers and duties of the Chief Executive Officer under sub-section (1) of section 17; j) the conditions subject to which the Board may incur expenditure outside India; k) the preparation of budget estimates of receipts and expenditure of the Board and the authority by which the estimates are to be sanctioned; l) the maintenance of the accounts of income and expenditure of the Board and the audit of such accounts and the date before which the audited copy of the accounts may be furnished to the Central Government under section 22; m) the time at which the annual report shall be prepared under section 23; n) the deposits of the funds of the Board in Banks and investments of such funds; o) the re-appropriations of the estimated savings from any budget head to any other budget head; p) the conditions subject to which the Board may borrow funds; q) the conditions subject to which and the manner in which contracts may be entered into by or on behalf of the Board; r) the delegation to the officers of the Board of any of the powers and duties of the Board under this Act; s) the maintenance of the registers and other records of the Board t) the form of, manner of application for, fees payable for, records to be maintained, information or statistics to be furnished, quality parameters to be maintained, conditions governing and procedures in granting / cancellation of registration to curing units, filling of appeal and granting / cancellation of authorization to be issued by the Board to exporter and importer as the case may be; u) The conditions subject to which and manner in which the inspection and control of quality at all stages carried out by the Board; v) the collection of any information or statistics in respect of Coffee or any product of Coffee; w) any other matter which is to be or may be prescribed under this Act.
Power to make regulations	29. (1) Subject to the provisions of section 3, and with the approval of the Central Government, the Board may by notification in the Official Gazette make such regulations consistent with this Act and any rules made thereunder to carry out its functions under this Act.

	<p>(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:—</p> <ul style="list-style-type: none"> (a) the manner of, the conditions to be met and the date of effect of certificate of, registration for curing under sub-section (1) of section 7; (b) the manner of verification of an application to obtain certificate of registration for curing and the period within which such certificate shall be issued or rejected under sub-section (2) of section 7; (c) the period of validity of a certificate of registration of curing under sub-section (4) of section 7; (d) the conditions subject to which the Board may require that no Coffee shall be exported without obtaining a certificate from the Board under sub-section (2) of section 8; and (e) any other matter which is to be, or may be, specified or in respect of which provision is to be, or may be, made by regulations.
Rules to be laid before Parliament	<p>30. Every rule 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 sessions 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.</p>
Power to remove difficulties	<p>31. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published 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:</p> <p>Provided, no such order shall be made under this section after the expiry of three years from the commencement of this Act.</p> <p>(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.</p>
Transitional provisions	<p>32. (1) Notwithstanding anything contained in section 33, on and from the date of commencement of this Act—</p> <ul style="list-style-type: none"> (a) any reference to the Coffee Board in any contract or other instrument shall be deemed to be a reference to the Board; (b) all property, movable and immovable, of or belonging to the Coffee Board shall be deemed to be that of the Board; (c) all rights and liabilities of the Coffee Board shall be deemed to be that of, the Board;

	<p>(d) all suits and other legal proceedings instituted by or against the Coffee Board, immediately before the commencement of this Act, shall be deemed to have been instituted by or against the Board;</p> <p>(e) the existing officers and staff of the Coffee Board shall be deemed to be appointed under this section.</p> <p><i>Explanation.</i>— For the purpose of this sub-section, the expression “Coffee Board” shall mean the body corporate by the name of “Coffee Board” constituted under sub-section (1) of section 4 and incorporated under section 5 of the Coffee Act, 1942 (Act No. 7 of 1942).</p> <p>(2) On and from the date of commencement of this Act, any person liable to be registered under section 9 who has a valid registration or license by whatever name called, under the Coffee Act, 1942 (Act No. 7 of 1942), shall be deemed to be registered under section 9 of this Act, and shall be deemed to remain so registered till the registration or license as the case may be, remains valid under the Coffee Act, 1942 (Act No. 7 of 1942).</p>
Repeal & Savings	<p>33. (1) The Coffee Act, 1942 (Act No. 7 of 1942) is hereby repealed.</p> <p>(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.</p> <p>(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal.</p>
Declaration as to expediency of Union control	<p>34. It is hereby declared that it is expedient in the public interest that the Union should take under its control the Coffee industry.</p>
