The Coconut Development Board Regulations, 1982

1* S.O.85(E) dated the 12th February, 1982 - In exercise of the powers conferred by Section 20 of the Coconut Development Board Act, 1979 (5 of 1979), the Coconut Development Board with the previous approval of the Central Government, hereby makes the following regulations, namely:-

CHAPTER I

Preliminary

1. Short title, commencement and application:- (1) These Regulations may be called the Coconut Development Board Regulations, 1982;

(2) They shall come into force on the date of their publication in Official Gazette.

2. Definitions:- In these regulations, unless there is anything repugnant in subject or context.

(a) 'Act' means the Coconut Development Board Act, 1979 (5 of 1979);

(b) 'Chief Coconut Development Officer' means the Chief Coconut Development Officer of the Board;

(c) 'Committee' means any Committee appointed by the Board under the Section 9;

(d) 'Rules' means the Coconut Development Board Rules, 1981;

(e) 'Secretary' means the Secretary of the Board;

(f) 'Section' means the Section of the Act;

(g) 'Vice-Chairman' means the Vice-Chairman of the Board;

(h) The words and expressions used and not defined, but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II

Committees of the Board

3. Appointment of Committees:- (1) The Board may appoint **2***[every two years], as provided in Section 9 of the Coconut Development Board Act, 1979, the following Committees and may appoint such other Committees as the Board deems necessary to exercise such powers and discharge such functions as may be delegated to it under these regulations, namely:-

(a) an Executive Committee consisting of:-

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

(ii) a Vice-Chairman

(iii) three members representing the Government of the States of Kerala, Tamilnadu and Karnataka appointed under clause (g) of sub-section (4) of section 4 of the Act.

2*[(iv) the Financial Adviser or Deputy Secretary (Finance) to the Government of India, Ministry of Agriculture, and two other members elected by the Board from amongst themselves who shall be representatives of growers.]

(b) a Research and Development Committee consisting of:-

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

(ii) a Vice-Chairman

(iii) all the four members of the Board representing coconut growers appointed under clause (i) of sub-section (4) of section 4 of the Act;

1* Published in the Gazette of India, Extraordinary, 1982, Part II, Section 3(ii), Sl. No.59

2* Substituted by GSR 479(E) dated 26.05.1994

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2*[(iv) the Horticulture Commissioner, Government of India, *ex-officio*;]

(v) the Director, Central Plantation Crops Research Institute, *ex-officio*;

(vi) four other persons to be co-opted by the Board from amongst experts and scientists who are not members of the Board, or from institutions which are not represented on the Board provided that such co-opted persons shall have no right to vote.

(c) a Processing and Marketing Committee consisting of:-

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

(ii) a Vice-Chairman;

(iii) the member of the Board representing the coconut processing industry appointed under clause (j) of sub section (4) of section 4 of the Act;

(iv) the Chairman of the Coir Board, *ex-officio*;

(v) four members elected by the members of the Board from amongst themselves of whom two shall be representatives of growers;

(vi) four other persons to be co-opted by the Board to represent (1) the Department of Agriculture and Cooperation in the Ministry of Agriculture, Government of India; (2) the National Co-operative Development Corporation Limited; (3) the Kerala State Coconut Development Corporation Limited and (4) the Directorate of Marketing and Inspection, Government of India, who are not members of the Board provided that such co-opted persons shall have no right to vote.

(d) a Publicity Committee consisting of:-

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

(ii) a Vice-Chairman;

(iii) three members representing the Governments of Kerala, Tamilnadu and Karnataka appointed under clause (g) of sub section (4) of section 4 of the Act;

(iv) three members appointed by the Board by election of whom one shall be representative of growers.

(v) four other persons to be co-opted by the Board to represent (1) the Department of Agriculture and Cooperation in the Ministry of Agriculture, Government of India and (2) such organizations as are engaged in Agricultural Information who are not members of the Board provided that such co-opted persons shall not have the right to vote.

(2) The Chairman of the Board who is the ex-officio Chairman of every Committee may require any officer or officers of the Board to attend any meeting of the Committee but such officers shall have no right to vote.

4. Functions of the Committees:- (a) Executive Committee:- Subject to such restrictions and conditions as may be imposed by the Board, the Executive Committee shall discharge such functions of the Board relating to the administration, finance and other matters as may be assigned to it by the Board.

(b) Research and Development Committee:- Subject to such restrictions and conditions as may be imposed by the Board, the Research and Development Committee shall discharge such functions of the Board relating to the development of coconut cultivation

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and coconut small holdings in India including promotion of agricultural and technological research on coconut as may be assigned to it by the Board.

(c) Processing and Marketing Committee:- Subject to such restrictions and conditions as may be imposed by the Board, the Processing and Marketing Committee shall discharge such functions of the Board relating to processing and marketing of coconut and its products, product diversification and by-product utilization, grading, storage and co-operative development as may be assigned to it by the Board.

(d) Publicity Committee:- Subject to such restrictions and conditions as may be imposed by the Board, the Publicity Committee shall discharge such functions of the Board relating to the publications and dissemination of information on all aspects of coconut industry as may be assigned to it by the Board.

5. Sub-Committee:- A Committee appointed by the Board may appoint a Sub-Committee from among its members for enquiring and reporting on any specified subject or any other purpose within the scope of the functions allotted to it by the Board.

CHAPTER III

Procedure for Meetings of the Board and its Committees

6. Meeting of the Board:- The Board shall hold a meeting at least once in every quarter on such dates and at such places as the Chairman may think fit, and the interval between any two ordinary meetings shall not in any case, be longer than four months.

Provided the Board may, with the permission of the Central Government, hold no meeting in any particular quarter.

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

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

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

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

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

8. Quorum:- (1) **2***[No business shall be transacted at a meeting of the Board unless there are present at least six members and no business shall be transacted at a meeting of a Committee unless there are present at least three members constituting the Committee].

(2) If at any time the number of members present in a meeting of any of the committees is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than seven days from the date of the meeting informing

2* Substituted by GSR 479(E) dated 26.05.1994

the members of the Committee of the date, time and place of the adjourned meeting, and if the number of members present at such adjourned meeting is less than the required quorum, the members so present shall be the quorum.

9. Absence from meetings of a Committee:- Any member other than an ex-officio member, of a Committee absenting himself from three consecutive meetings without the leave of the Chairman shall cease to be a member of that Committee.

10. Filling up of casual vacancies:- (1) Any casual vacancy in the membership of a Committee shall be filled up by the remaining members of the Committee from amongst the members of the Board.

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

11. Presiding over Meetings:- At every meeting of the Board or any of the Committees at which he is present, the Chairman shall preside and, in his absence, the Vice-Chairman shall preside. If both the Chairman and the Vice-Chairman are absent, the members present at the meeting shall elect one from among themselves to preside at the meeting.

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

13. Business by circulation:- (1) Any business which is to be transacted by the Board or a Committee may, if the Chairman of the Board or of the Committees so directs, be referred to members (other than members who are absent from India) by circulation of papers.

(2) Any proposal or resolution circulated under sub-regulation (1) and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members at a meeting.

Provided that at least eight members of the Board or four members of the Committee as the case may be have recorded their views on the proposal or resolution.

Provided further that when a proposal or resolution is referred to the members by circulation, any five members, of the Board or three members of any of the Committees, as the case may be, may require that the proposal or resolution be referred to members at a meeting, and thereupon such reference shall be made to members at a meeting of the Board or of the Committee, as the case may be.

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

(4) If a proposal or resolution is circulated, the result of the circulation shall be communicated to all the members of the Board or of the Committee concerned.

(5) All decisions on questions arrived at by circulation of papers shall be placed at the next meeting of the Board or of the Committee, as the case may be for record.

14. Record of Business:- (1) A record shall be maintained by the Secretary of all items of business transacted by the Board or by the Committees and copies of such record shall be forwarded to the Central Government.

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

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

15. **2***[Voting:- (1) Every question brought before any meeting of the Board or its Committees shall be decided by a majority of Members present and voting at the meeting before which the matter is brought. The Chairman or the Vice-Chairman or the member presiding over the meeting of the Board or of the Committee, as the case may be, shall exercise his right of vote only when there is an equality of votes].

(2) In the case of an equality of votes, the Chairman or the Vice-Chairman or the member presiding over the meeting of the Board or of the Committee, as the case may be, shall have a casting vote.

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

(2) A copy of every order passed under sub-regulation (1) shall be sent to the Board by the Central Government.

(3) On receipt of a copy of the order as aforesaid, the Board may make a representation to the Central Government against the said order and the Central Government may after considering the representation, either cancel, modify or confirm the order passed by it under sub-regulation (1), or take such other action in respect of the matter as may, in the opinion of the Central Government, be just or expedient, having regard to all the circumstances of the case.

CHAPTER IV

Service Conditions of Employees

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

18. Recruitment Regulations:- Subject to Rule 18 of the Coconut Development Board Rules, 1981, the recruitment rules for the different categories of posts in the Directorate of Coconut Development shall apply for appointment to the same or similar categories of posts under the Board till separate recruitment rules are framed by the Board.

Provided that for the categories of which are not similar to the existing ones in the Directorate of Coconut Development recruitment regulations shall be framed by the Board, with the prior approval of the Central Government as and when such posts are created or proposed to be created.

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[Ministry of Agriculture (Department of Agriculture & Cooperation)]

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2* Substituted by GSR 479(E) dated 26.05.1994