



टीबोर्डभारत Tea Board India
14, बी.टी.एमसरनी (ब्रेबोर्नरोड) कोलकाता 700001
14, B.T.M Sarani (Brabourne Road) Kolkata 700 001
www.teaboard.gov.in

Ref. No.12(17)/LC/2008/Part-III/

Dated 18.05.2021

CIRCULAR

Subject: Amended guidelines for issuance of NOC and Registration for setting up of a new Tea Factory/Capacity enhancement of existing Tea Factory under the provisions of Tea Marketing Control Order, 2003 for South India

For issuing NOC/RC to Tea Manufacturing Factory, a decision was taken in 237th Board Meeting held on 26.09.2018 to clarify the Saturated/ Unsaturated zone block wise and it was decided that no NOC will be given in saturated zone. Accordingly, this was notified vide letter No. 12(17)/LC/2008/Part-II dated 07.06.2019. This issue was now discussed in 242nd Board Meeting to review the decision taken earlier in respect of issuing NOC for Tea Manufacturing Factory. Accordingly, a meeting with all concerned stakeholders was held on 17.11.2020 through Video Conferencing. Detail deliberation was done. Further, a meeting was also held with the stakeholders of South India by Executive Director, Coonoor on 26th November 2020 for discussing the revised guidelines to be formed for South India. Based on the feedbacks/comments received from the stakeholders as well as field offices of the Board, the guidelines have been amended as per the criteria of 15 Km radius concept as follows.

1. Whenever application will be received for new factory or capacity enhancement, the said factory will be treated as centre of the circle and list of factories whose registration has been cancelled within the vicinity of 15 km radius in that region will be taken in account before issuance of NOC/RC. In lieu of such cancelled factories subject to compliance of existing guidelines, issuance of fresh NOC for New Factory/Capacity enhancement can be considered.
2. The applicant is required to submit his application along with the details of the cancelled factories within the vicinity of 15km radius of the proposed unit. The same will be verified by the Board's Officials as per the procedure for further processing and issuance of NOC.
3. In case of applications for setting up of Orthodox or other specialty tea production unit, the eligibility criteria of 15 km radius shall not be applicable. Issuance of NOC/RC to such applicants shall be decided by the Registering Authority on a case-to-case basis.
4. The NOC/RC shall be issued to the eligible applicants with the condition that the applicant factory will adhere to the payment of minimum green leaf price or PSF price (Price Sharing Formula), whichever is higher, to the small tea growers/suppliers.

5. No factory shall enhance their installed capacity without obtaining prior approval from Tea Board.
6. The amended guidelines are attached for circulation among the stakeholders.
7. Date of issue of this circular by Tea Board will be the effective date of implementation.
8. Fresh applications will be considered as per this circular.
9. All NOC granted prior to the date of notification will be treated as per old notification dated 07.06.2019. However, the RC shall be granted for the quantity not exceeding NOC quantity subject to fulfilment of all the conditions for issuing Registration Certificate.
10. The applications which have been received before publication of this circular and no NOC has been issued, the evaluation for issuing NOC will be done separately by both the methods (i.e, as per criteria fixed vide notification dated 07.06.2019 and the new notification to be published) and favourable outcome out of two methods will be considered by Tea Board.
11. This notification shall be applicable for all regions of South India.
12. Applicant shall apply for issuance of NOC/RC for the manufacturing unit to the Registering Authority through Board's egiccs portal <http://egiccs.teaboard.gov.in/>.
13. Applicant is requested to go through the Guidelines/Instructions attached herewith before applying their application complete in all respects with all requisite documents/information.
14. After receipt of application through online, the said factory will be treated as centre of the circle and list of factories whose registration has been cancelled within the vicinity of 15 km radius in that region will be taken in account before issuance of NOC/RC. An inspection format has been designed based on the feedback received from the field office and incorporated in the Board's egiccs portal.

Encl: As stated

Yours faithfully,



(Dr. Rishikesh Rai)
Secretary (I/c)



TEABOARD

14, B.T.M.Sarani

Kolkata-700001

Guidelines for issuance of NOC and Registration for setting up of a new Tea Factory/Capacity enhancement of existing Tea Factory under the provision of The Tea Marketing Control Order, 2003 (TMCO, 2003) for South India

In the year 1984, Tea (Marketing) Control Order 1984 (TMCO 1984) was notified in exercise of the powers conferred by sub section (3) & (5) of Section 30 of the Tea Act 1953. According to Para 2(k) of the said order 'registered manufacturer' means a manufacturers registered under Para 3 of the said order.

Para 3(1) of the TMCO 1984 stipulated the provision for registration by Tea Board in respect of any **tea manufacturer** engaged in the activities of manufacturing tea from tea leaf. Under clause 3(1) of TMCO 1984 Tea Board granted registration in favour of estate factories, bought leaf factories and cooperative factories since the year 1984.

On 1st January 2003 Ministry of Commerce, Govt. of India, in exercise of the powers conferred by sub section (3) & (5) under Section 30 of the Tea Act 1953 and in supersession of the TMCO 1984, notified Tea (Marketing) Control Order 2003 (TMCO, 2003).

Clause 3(1) of TMCO 2003 stipulates that no manufacturer shall carry on the activities of manufacturing tea without obtaining a no objection certificate under this Order in respect of each factory to be set up by him and after completion of setting up of the factory, the manufacturer shall apply for obtaining registration in respect of each such factory owned or controlled by him.

Provided that the manufacturer, who has obtained registration under the provision of the said order of 1984, shall be deemed to have been registered under provision of the TMCO, 2003.

Clause 3A (1) of TMCO, 2003 stipulates that no registered manufacturer shall carry on the activities to enhance the production capacity of the existing factory without prior intimation and obtaining the no objection certificate from the Board.

Clause 3A(2) of TMCO, 2003 stipulates that after obtaining the no objection certificate from the Board and completion of the capacity enhancement of the factory, the registered manufacturer shall apply to the registering authority in Form A for changing the registration of the extended factory.

1.1 Submission of Expression of Intent (Eoi):

Any applicant interested to set up a tea factory; shall apply to the Chairman, Tea Board, by submitting an application as per following format with documents.

Application for submission of Expression of Intent (Eol) for setting up of a new Tea Factory/Capacity enhancement of existing Tea Factory

Sl. No	Description	Remarks	
1	Name of the applicant (in blockletters)		<input type="checkbox"/>
2	Mailing address of the applicant with PIN code		<input type="checkbox"/>
2A	E-Mail ID		<input type="checkbox"/>
2B	Telephone & Mobile Number		<input type="checkbox"/>
3	Name and address of the Proposed manufacturing unit		<input type="checkbox"/>
4	Status of the applicant	Public Ltd/ Pvt. Ltd/ Partnership/ Proprietorship/ Co-operative/ SHG of STGs	<input type="checkbox"/>
4A	Type of Factory	Estate*/ Bought Leaf / Co-operative/ SHG of STGs	<input type="checkbox"/>
4B	Type of tea to be Produced	Black (CTC/Orthodox)/ Green/ White/ Oolong/Speciality tea such as Hand Rolled Tea	<input type="checkbox"/>
4C	RC No in case of existing factory		<input type="checkbox"/>
4D	Annual capacity of Production		<input type="checkbox"/>
4E	Annual capacity of Production to be enhanced (Applicable to existing tea factory only)		<input type="checkbox"/>
5	List of Documents to be submitted		
5A	Land Document for the area earmarked for setting up of the factory. (A copy of Jamabandi/ sale deed/ lease deed) (Applicable to proposed new tea factory only)		
5B	*In case of a estate factory please enclose a copy of the registration certificate issued by Licensing Branch of Tea Board in favour of the Garden		
5C	Survey map demarcating the site of the proposed factory drawn to a scale by Government approved surveyor.		
5D	Building plan drawn by Civil Engineer		
5E	List of Machinery and equipment conforming to standard prescribed by Tea Board according to the processing capacity.		<input type="checkbox"/>
5F	List of green leaf suppliers along with the assessed green leaf availability in kgs/Annum in applicant company's letter head.		

Certified that I/We, have read and understood the Tea Act 1953, the Tea (Marketing) Control Order -2003, the relevant rules and regulations of the FSSAI and other rules and regulations imposed by the other Departments of the Local, State and Central Governments and I/We, hereby undertake to comply and abide by all the rules and regulations for availing the No- Objection for setting up the factory.

Name & Signature of the applicant(s) with date

List of documents to be submitted for issuance of NOC

No.	Document(s)
1	Application form properly signed along with date and seal of the proprietor/partner/Director/Authorised Signatory as the case may be.
2	Land Document for the area earmarked for setting up of the factory (A copy of Jamabandi/sale deed/lease deed) (Applicable to proposed new tea factory only)
3	In case of a estate factory please enclose a copy of the registration certificate issued by Licensing Branch of Tea Board in favour of the Garden
4	Survey map demarcating the site of the proposed factory drawn to a scale by Government approved surveyor
5	Building plan drawn by Civil Engineer
6	List of Machinery and equipment conforming to standard prescribed by Tea Board according to the processing capacity.
7	List of tea factories, whose registration certificate issued by Tea Board, has been cancelled within the vicinity of 15 Kms radius of the proposed TF, along with their registration Nos. issued by Tea Board, approved installed capacity (per annum), etc.
8	List of green leaf suppliers along with the assessed green leaf availability in kgs/Annum in applicant company's letter head.
9	Any other document

Issue of Letter of No Objection (NOC) :

The No objection Certificate (NOC), will be issued to enable the applicant to commence and complete the construction of the factory and installation of all machinery items as prescribed by Tea Board. The NOC does not guarantee that on completion of construction, the applicant shall be provided with registration under TMCO, if Board is of the opinion that the factory has been constructed by violating the prescribed norms.

No Objection Certificate (NOC)

File No :

Date:

To,

.....
.....

Sir/ Madam,

With reference to your application dated expressing your intent to set up a new tea processing unit at Vill:..... P.O.....: Dist: State,this is inform you that based on the particulars submitted by you, Tea Board has no objection of your setting up of a new tea processing unit/enhancement of capacity of existing tea factory (Estate/ BLF/ Co-operative/ SHG of STGs) at the above mentioned address.

This NOC is issued to recognise the intent of setting up the new factory/existing tea factory by you and it has no guarantee that the registration of the tea factory would be given by default in case you fail to comply with the conditions prescribed by Tea Board from time to time.

This NOC does not confer the applicant any right whatsoever as regards to right over the plot of land and factory in question. This NOC does not exempt the applicant from getting all the statutory clearances from the local/ state and central government.

This NOC is valid for a period of 12 months from the date of issue to enable you to complete the construction of factory and installation of machineries. On completion of the activities you must apply to Tea Board for grant of TMCO registration as per form A along with the following documents.

1. Details of machineries installed in the factory along with dates of installation.
2. Declaration on non judicial stamp paper of value Rs.100/- mentioning that the tea to be manufactured in the proposed factory shall conform to the specification for tea as laid down under FSSAI rules.
3. Name and address of the Director/Partners/Proprietor/ President or Secretary of SHG.
4. Copy of documents to justify the Ownership of the Processing unit.

Yours faithfully,

2.1 Submission of Form A for registration of new tea factory/Capacityenhancement of existing Tea Factory under TMCO-2003

The applicant after setting up of the processing unit shall submit in triplicate, the application for registration under TMCO 2003 as in FormA, addressed to the Deputy Chairman, Tea Board through online portal of Tea Board.

F O R M – ‘A’
APPLICATION FOR REGISTRATION UNDER PARAGRAPH 3(2) OF TMCO, 2003

(To be submitted in triplicate)

To
The Chairman, Tea Board,
14- B.T.M. Sarani,
Kolkata- 700 001.

Sir,

I/We hereby apply for registration as a manufacturer and/or producer of tea under the Tea (Marketing) Control Order, 2003.

Necessary particulars are furnished below:

Sl no	Particulars	Remarks
1	Name of the applicant (in block letters), (in the case of partnership concern the names of all the partners should be given):	
2	Mailing address of the applicant with PIN code	
3	Name of the Tea Processing unit	
3A	Address of the Tea Processing unit	
3B	Phone number, Fax number & E-mail ID	
4	Annual capacity of production	
5	Detailed list of machines and equipment installed with date of installation	
6	Copy of the final factory layout drawing to be drawn by civil engineer	
7	If the Tea Processing Unit to be registered as Estate Factory, kindly mention registered area under tea with Registration number of Tea Board, Name of the Tea Estate	
8	Central Excise Zone and Registration No	
9	License fee of Rs. 1,20,000/- to be paid through online plus applicable GST	

Yours faithfully,

Place:
Date:

Signature of the applicant

List of documents to be submitted with form A

Sl. No.	Document(s)
1	Application form properly signed along with date and seal of the proprietor/partner/Director/Authorised Signatory as the case may be.
2	Detailed list of machinery and equipment installed along with date of installation
3	Copy of Final Factory Layout drawing to be drawn by Civil Engineer.
4	Declaration on non-judicial stamp paper mentioning that the tea will be manufactured in the factory shall conform the specification for tea as laid down under FSSAI rules as amended time to time
5	Copy of NOC issued by Tea Board for setting up of new tea factory/existing factory
6	Copy of Good & Service Tax (GST) certificate
7	<p>For Company – A copy of Memorandum and Articles of Association duly certified by one of the directors, Or</p> <p>For partnership firm– A court/ notary certified deed of partnership, Or</p> <p>For registered firm – A copy of certificate of notification issued by Registrar of firms, Or</p> <p>Co-operative firm – A copy of certificate of registration issued by registrar of co- operative firms, Or</p> <p>For Proprietorship concern : Declaration duly notarized in non judicial stamp paper value not less than Rs.100/- for sole proprietorship along with name and residential address, Or</p> <p>SHG of STGs – A copy of certificate of registration of society from the State Government.</p>
8	A copy factory license issued by concerned State Government, duly signed and affixing seal of the company/firm
9	Any other document

FORM 'B'

Certificate of registration for carrying on business as Manufacturer and/or producer of
Tea.

NOT TRANSFERABLE

Issued under paragraph 3(4) of the Tea (Marketing) Control Order, 2003

REGISTRATION NUMBER:-

Date:

M/S, Shri/Smt,

..... ofis
hereby authorized to carry on the business of Black Tea (CTC/ Orthodox)/ Green tea/
Oolong Tea/packet tea/ instant tea/ flavoured tea/ quick brewing black tea/ any other tea
under the provisions of Tea (Marketing) Control Order, 2003.

This certificate shall continue to be valid until cancelled/ suspended by the registering
authority under paragraph 5 of the Tea (Marketing) Control Order, 2003.

CHAIRMAN, TEA BOARD