

The Coir Industry (Registration) Rules, 2008

UNION OF INDIA

India

The Coir Industry (Registration) Rules, 2008

Rule THE-COIR-INDUSTRY-REGISTRATION-RULES-2008 of 2008

- Published on 18 August 2008
- Commenced on 18 August 2008
- [This is the version of this document from 18 August 2008.]
- [Note: The original publication document is not available and this content could not be verified.]

The Coir Industry (Registration) Rules, 2008 Published vide S.O. 2061(E), dated 18.8.2008, published in the Gazette of India, Ext., Pt., II, Section 3(ii)

382.

Whereas the draft of certain rules to supersede the Coir Industry (Registration and Licensing) Rules, 1958 was published as required by sub-section (1) of section 26 of the Coir Industry Act, 1953 (45 of 1953) in the notification of Government of India in the Ministry of Micro, Small and Medium Enterprises No. S.O. 1441(E), dated 12th June, 2008 in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), dated 13th June, 2008 inviting objections and suggestions from all persons likely to be affected thereby and notice was given that the said draft shall be taken into consideration after the expiry of a period of 45 days from the date of publication in the Official Gazette. And whereas no objection or suggestion has been received from the public on the said draft within the said period; Now, therefore, in exercise of the powers conferred by sub-section (1) of section 26 of the said Act and in supersession of the Coir Industry (Registration and Licensing) Rules, 1958, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:--

1. Short title and commencement .--(1) These rules may be called The Coir Industry (Registration) Rules, 2008.

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

2. Definitions .-(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Coir Industry Act, 1953 (45 of 1953); (b) "Board" means the Coir Board constituted under section 4 of the Act; (c) "Chairperson" means the Chairperson of the Board; (d) "Form" means a Form annexed to these rules; (e) "Industrial Establishment" means any

premise including any part thereof where extraction of coir fibre or spinning of coir yarn or baling of coir fibre or coir yarn or any process for the manufacture or finishing of coir products or blended products or processing of coir pith is carried out with or without the aid of power and with or without hired labour;(f)"Notification" means notification published in the Gazette of India;(g)"Officer" means an officer of the Board or the Central Government;(h)"person" includes a corporation, a firm, an association of individuals and a co-operative society registered under any law relating to co--operative societies;(i)"Secretary" means the Secretary of the Board;(j)"Year" means the year commencing on the 1st day of April;(k)"Ratt" means a mechanical contrivance used or intended to be used for spinning coir fibre into coir yarn with or without the use of power.(2)Words and expression used herein and not defined but defined in the Act shall have the same meanings as assigned to them in the Act.

3. Need for registration .-(1) The Coir establishments may register with the Coir Board within one month of the commencement of the business and shall be allotted a number which shall enable the Board to maintain up to date statistics regarding Coir industrial establishments.

(2)Every industrial establishment shall furnish authenticated data such as business transaction details or statistics, etc., in the first week of every month failing which their registration with Board shall be deemed to have been cancelled.

4. Application for registration .-(1) Every application for registration under rule 3 shall be made to the Secretary or, as the case may be, the Officer authorised by him in this behalf in Form I:

Provided that the Secretary or, as the case may be, the Officer may, if he is satisfied that there was sufficient cause for not making the application in time, entertain an application made after one month as referred to in sub--rule (1) of rule 3.

5. Grant of certificate .-On receipt of an application, the Secretary or Officer shall, after making such enquiry as he deems necessary, register the Industrial Establishment, and issue a certificate in Form II with distinctive registration number allotted to it in the certificate.

6. Period of validity .-Every registration made under these rules shall be valid for a period of three years and may, on application made by the Industrial Establishment, be renewed for any period not exceeding three years at a time.

7. Application for renewal .-Every application for renewal of registration shall be made within thirty days in Form III along with the certificate of registration already granted before the date of expiry of registration:

Provided that the Secretary or, as the case may be, the Officer may, if he is satisfied that there was sufficient cause for not making the application in time, entertain an application made within thirty days from the date of expiry of registration: Provided further that the Chairperson may, if he is satisfied that there were sufficient reasons for not making the application within the period as referred in the first Proviso, entertain the application within thirty days from the expiry of such period.

8. Fees .-Every application for registration or renewal of registration of an Industrial Establishment under these rules shall be accompanied by a fee of Rs. 10 (Rupees Ten only).

9. Duplicate certificate .-Where a certificate of registration granted under these rules is lost or destroyed, the Secretary may, after making such enquiry as he deems necessary, issue a duplicate certificate on payment of a fee of Rs. 25 (Rupees Twenty-five only).

10. Transfer of Industrial Establishment .-(1) Where an Industrial Establishment or any machine or equipment installed in such Industrial Establishment is transferred by way of sale, mortgage or otherwise, the transferee shall, within a period of thirty days from the date of transfer, apply to the Secretary or the Officer authorised by him for registering the transfer in Form IV.

(2) The Secretary or the Officer authorised by him shall, after making such inquiry as he deems necessary, register the transfer and record an entry to that effect in the certificate of registration.

11. Change of place .-(1) If during the period when the registration of an Industrial Establishment is in force, the owner thereof desires to change the place where such Industrial Establishment is located, he shall apply to the Secretary or the Officer authorised by him at least thirty days in advance.

(2) Every such application shall specify the new place and be accompanied by the certificate of registration already granted. (3) The Secretary or other Officer may, where he agrees to the change, enter the new place in the certificate of registration.

12. Power to call for additional information .-(1) The Secretary or the Officer authorised by him may require an applicant to furnish within a specified period, such additional information as he may consider necessary for the purpose of registration and every such applicant shall be bound to furnish such information within the specified period.

(2)The Secretary or the Officer authorised by him may, by order, refuse an application to register an Industrial Establishment, if the applicant fails to furnish the information or furnishes incorrect information:Provided that a copy of the order together with the reasons for the refusal shall be communicated to the applicant.

13. Cancellation of registration .-Where the Secretary or, as the case may be, the Officer authorised by him is satisfied that any person has obtained a certificate by furnishing incorrect information or that he has contravened any of the provisions of these rules or of the conditions mentioned in the registration, the Secretary or, as the case may be, the Officer may, without prejudice to any other action that may be taken against such person, by order cancel the certificate:

Provided that before cancelling the certificate, the person concerned shall be given an opportunity to make his representation:Provided further that a copy of the order together with the reasons for the cancellation shall be communicated to the person concerned.

14. Appeal .-Any person aggrieved by an order under rule 12 or rule 13 may, within thirty days from the date of receipt by him a copy of the order, appeal to the Chairperson, whose decision thereon shall be final.

15. Exemption .-Notwithstanding anything contained in the foregoing rules, the Board may, by notification, exempt any industrial establishment located in any specified area from the operation of these rules, either permanently or for a specified period and may from time to time, by like notification, hike such period.

16. Registration of exporter .-No person shall, after coming into force of these rules, export coir fibre, coir yarn or coir products or blended products unless he has been registered as an exporter under these rules.

17. Application for registration .-(1) Every application for registration as an exporter under rule 16 shall be made to the Chairperson or, as the case may be, other Officer authorised by him in Form V and shall be accompanied by,--

(a)a certificate regarding financial status issued by any bank, copy of PAN Card and copy of Importer-Exporter Code, and(b)a fee of Rs. 10 (Rupees Ten only).(2)The fee once remitted to the Board shall not be refunded under any circumstances.(3)If the application is not in the proper Form as annexed to these rules or does not contain or accompany the required particulars, the application shall be summarily rejected.(4)The Board may, if satisfied as to the suitability of the application, issue a certificate to the effect of having registered the applicant as an exporter in Form VI.(5)The applicant shall furnish within the period specified in this behalf such additional information in respect of the application as the Chairperson or the officer authorised by him in this behalf may require.

18. Period of validity .-Every registration granted to the exporter under these rules shall be valid for a period of three years and may, on application made by the exporter, be renewed for any period not exceeding three years at a time.

19. Renewal of registration .-An exporter may apply for renewal of registration as an exporter in Form VII to the Secretary, Coir Board with a fee of Rs. 10 on or before 30th of the month succeeding the one in which the validity of the certificate expires:

Provided that the Chairperson may entertain an application for renewal after one month of expiry of the existing certificate on payment of an additional fee of Rs. 10 for the delay of each month or part thereof:Provided further that if the exporter does not carry on any export business during the period in which he holds a valid certificate, the renewal certificate as an exporter for the next three years may not be considered:Provided also that if the exporter enters into an export contract, he may apply to the Board for a fresh registration.

20. Cancellation of registration .-If any person who has been registered as an exporter fails during a period of twelve consecutive months to export any quantity of the goods in respect of which he is registered or fails to comply with any of the provisions of these rules or if the Chairperson is satisfied that such person has become disqualified to continue as an exporter, the Chairperson may, after giving the exporter a reasonable opportunity of making his objection, by order in writing, cancel the registration and communicate to him a copy of such order.

21. Returns by registered exporter .-Every person who has been granted registration as an exporter shall furnish in Form VIII, a statement showing the goods exported and the date of export so as to reach the Secretary or the Officer authorised by him on or before the 30th of the month following the month in which the export was made.

22. Appeal .-Any person aggrieved by an order made under rule 20 may, within thirty days from the date of receipt of a copy of such order by him, appeal to the Central Government whose decision thereon shall be final.

23. Power to call for returns, etc .-(1) The Board may, by general or special order, direct the holder of a certificate of registration to maintain such records of his business in such form and manner as may be specified and to submit to the Board returns relating to his business in such form as may be specified in such order.

(2)The Chairperson or the Officer authorised by him in this behalf may in writing, with a view to secure compliance with these rules,-(a)require any holder of a certificate of registration to give any information in respect of his business; and(b)inspect any books, accounts or other documents relating to his business.