

TOBACCO BOARD

[Department of Commerce, Ministry of Commerce & Industry, Government of India]

G.T.Road, Guntur-522004 (AP) INDIA

REGISTRATION POLICY FOR GRANT OF REGISTRATION/RENEWAL OF REGISTRATION TO VARIOUS CATEGORIES OF TRADERS FOR THE YEAR 2017:

I) GENERAL GUIDELINES:

1. E-filing of applications is mandatory for obtaining registration/renewal of registration by all categories of traders for the calendar year 2017. The manual applications will not be entertained.
2. Registration/Renewal of registration may be granted to all categories of applications received within the stipulated time if they are in order.
3. Applications received beyond the prescribed due dates may be considered for grant of registration for the calendar year 2017 subject to payment of late fee as detailed below:-

a) FRESH REGISTRATION- – LATE APPLICATIONS:

S. No.	Category	Applications received		Late Fee(Rs.)
		From	To	
1	Processor/ Manufacturer of Virginia tobacco	2.11.2016	30.11.2016	10,000
		On or after 01.12.2016		25,000
2	Exp. of Unmanufactured tobacco/ Tobacco Products	02.11.2016	30.11.2016	5,000
		On or after 01.12.2016		10,000
3	Dealer in tobacco	02.11.2016	30.11.2016	2,000
		On or after 1.12.2016		5,000
4	Packer of Tobacco	02.11.2016	30.11.2016	2,000
		On or after 1.12.2016		5,000
5	Commercial Grader	2.11.2016 to 30.11.2016		5,000
		On or after 1.12.2016		10,000

b) RENEWAL OF REGISTRATION - LATE APPLICATIONS:

S. No.	Category	Applications received		Late Fee(Rs.)
		From	To	
1	Processor/ Manufacturer of Virginia tobacco	1.12.2016	31.12.2016	10,000
		On or after 01.01.2017		25,000
2	Exp. of unmanufactured tobacco/Tobacco Products	1.12.2016	31.12.2016	5,000
		On or after 01.01.2017		10,000
3	Dealer in tobacco	1.12.2016	31.12.2016	2,000
		On or after 01.01.2017		5,,000
4	Packer of Tobacco	1.12.2016 to 31.12.2016		2,000
		On or after 01.01.2017		5,,000
5	Commercial Grader	01.12.2016 to 31.12.2016		5,000
		On or after 1.01.2017		10,000

c) Procedure for reconsideration of applications, that were rejected and the defects were rectified beyond the prescribed time.

- (i) For fresh cases, revision petitions filed beyond the prescribed time may be rejected except for Exporter of unmanufactured tobacco & Tobacco Products.
 - (ii) For renewal cases, revision petitions filed beyond the prescribed time may be considered and registration may be granted by the Chairman subject to rectifying the defects by levying a penalty of Rs.8,000/-.
4. In case of all categories of traders, who undertake processing/manufacturing/trading/grading or exporting tobacco and tobacco products without obtaining registration from the Tobacco Board by violating Section 11A, 11B(i) and 12 of Tobacco Board Act, 1975, registration may be granted subject to payment of normal registration fee plus two times the amount of registration fee applicable to that category as penalty fee or the maximum late application fee applicable to that category whichever is more as penalty fee for each year during which the firm carried on business.
 5. In case of all categories of traders, who have applied for fresh/renewal of registration in the middle of the calendar year, but transacted business in the calendar year prior to filing application, such applications may be considered and grant registration subject to payment of Rs.5,000/- as penalty in addition to normal registration fee and late application fee as applicable.
 6. In case of defective applications, the defects may be informed to the applicants and if the defects are rectified within 30 days from the date of notice, registration/renewal of registration may be granted subject to fulfillment of other conditions, otherwise such applications (except Processors & Manufacturers) are liable for rejection according to Tobacco Board Rules, 1976. **The appeals if any made by the applicants according to Tobacco Board Act, 1975, such applicants are required to pay late response penalty of Rs.2,000/- subject to fulfillment of other requirements.**
 7. In case of all categories of traders, who have lost the registration certificate issued by the Board and requesting for issue of duplicate certificate, in such cases duplicate certificate may be issued with a fine of Rs.1000/-.

II) CATEGORY-WISE GUIDELINES:

1. All the categories of traders are required to submit the "Letter of Undertaking" in the prescribed proforma available in our website, duly signed by the authorized person and upload the scanned copy through online system.
2. The Registered traders should not violate any of the provisions of the Tobacco Board Act, Rules, Regulations, terms and conditions of certification of registration or renewal of registration granted by the Board, directions issued by the Board from time to time and stipulations laid down by the Board for discharging the various activities as prescribed under Section 8 of Tobacco Board Act, 1975.
3. The applicants (in case of proprietary concerns) shall submit a copy of Pancard of the proprietor as Identification proof.

A. PROCESSORS AND MANUFACTURERS OF VIRGINIA TOBACCO:

- a) The applicant should furnish the quantity and value of the tobacco products manufactured during the last three financial years in the case of manufacturers.
- b) In the case of Processors, the applicant should furnish the quantity of tobacco processed during the last three financial years.

- c) If the applicants rectify the defects after 30 days from the date of Board's Notice, registration may be granted by levying a penalty of Rs.5,000/-

B. EXPORTER OF TOBACCO AND TOBACCO PRODUCTS:

- a) Every applicant should upload the attested copy of Import and Export code certificate through online system.
- b) If the firm is registered already with the Board as Dealer in tobacco and apply in the middle of the year for conversion of registration as Exporter, registration may be granted accordingly subject to submission of required documents/information for registration as Exporter, payment of difference amount of Registration fee and conversion charges of Rs.1,000/-.
- c) The applicant should furnish the value of Exports of un-manufactured tobacco during the last three financial years.
- d) The applicants seeking registration/renewal of registration as Exporter of un-manufactured tobacco should furnish the particulars of godowns/warehouses/handling points (including branches) at the relevant column in the following manner.
 - a. Location – address in full with phone No.,
 - b. whether own or lease
 - c. In case of lease, furnish full address of the owner and upload a copy of lease agreement on Rs. 100/ non-judicial stamp paper.
 - d. Space of each godown in square feet.
- e) The applicants seeking fresh registration and filed applications beyond the Statutory last date, registration may be granted to those companies, who register afresh with Director General of Foreign Trade (DGFT) and obtain Certificate of Importer & Exporter Code (IEC) afresh without levying late application fee as mentioned above, in the interest of export promotion, as the new exporters for want of registration from Tobacco Board should not forego export business.

C. DEALER IN TOBACCO:

- a) The applicant applied afresh, shall possess warehouse/godown to stock at least 2 lorry loads of tobacco bought by him.
- b) The applicants should furnish the particulars of godowns/warehouses/handling points (including branches) at the relevant column in the following manner.
 - a) Location – address in full with phone No.,
 - b) Whether own or lease
 - c) In case of lease, furnish full address of the owner and a copy of lease agreement on Rs.100/- non-judicial stamp paper.
 - d) Space of each godown in square feet.
- c) The applicant (in case of proprietary concern) shall not have been involved in the cultivation of VFC tobacco without holding a valid licence with the Board in the past.

D. PACKER OF TOBACCO:

- a) The applicant should furnish the particulars of redrying/threshing plants owned or taken on lease, location and capacity of redrying/ threshing plant.

E. COMMERCIAL GRADERS:

- a) The applicant should possess godown and North Light Grading Hall and submit the attested copy of plan of godown/North Light Grading Hall.

- b) The applicant should furnish a copy of licence obtained from the concerned authorities of Inspector of factories for grading of tobacco.
- c) The applicant shall submit the list of farmers with their registration Nos. endorsed by the concerned Auction Superintendents in case the applicant intends to undertake grading of the tobacco of growers and the names of companies to whom he wants to undertake grading along with a copy of such contract in case he intends to undertake grading of the tobacco of Traders.

The Secretary, Tobacco Board is authorized for granting registration/renewal of registration to all the eligible applicants as per the criteria laid down for the year 2017.

F. NON FURNISHING OF STATUTORY RETURNS BY THE TRADERS:

It is observed that some of the traders are continuing to default in regard to furnishing of statutory returns during 2016. Therefore, it was decided to levy the penalties for late submission of returns for the period from 1.10.2016 to 30.09.2017 as shown below:

- a) **“A penalty of Rs.500/- per month shall be levied, if the returns are submitted after 15th and before the end of the succeeding month.**
- b) **A penalty of Rs. 1000/- per month shall be levied, if the delay is beyond one month.**

Submission of Statutory returns by the Dealers in tobacco:

In the meeting held on 28.03.2007 at Tobacco Board, Guntur with the representatives of the ITA, Guntur and the ITDA, Ongole, it was decided to permit the category of Dealers registered with the Board to submit all the (3) monthly returns on quarterly basis on or before 15th day of the succeeding month of the quarter. A penalty of Rs.1,500/- shall be levied, if the returns are submitted after 15th and before the end of the succeeding month of the said quarter. If the delay is beyond one month, levy of penalties will be applicable as at (b) above. Further, the dealers were also permitted to submit the returns either at any of the offices of the Regional Managers or at Head Office, Guntur.

G. CRITERIA FOR GRANT OF REGISTRATION IN RESPECT OF COMPANIES/PERSONS INVOLVED IN ILLEGAL TRANSACTIONS OR VIOLATION OF VARIOUS PROVISIONS OF TOBACCO BOARD ACT AND RULES MADE THERE UNDER:

The following criteria was laid down for grant of registration for the year 2017 in respect of companies/ persons involved in illegal transactions or violation of various Provisions of Tobacco Board Act and Rules there under with some modifications as under:

1. In respect of the companies involved in illegal purchases and Prosecution is in progress, conditional registration may be granted in respect of renewal cases.
2. In respect of the companies who have violated the provisions of Tobacco Board Act, 1975, the procedure is being followed as decided by the Board in its 136th meeting held on 31.07.2013 at Hyderabad.
3. “In respect of the companies/persons (including their family members), where involvement in outside purchases has been suspected and the investigation is in progress, fresh/renewal applications may be refused.

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