

## **COIR INDUSTRY (REGISTRATION AND LICENSING) RULES, 1958**

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## **COIR INDUSTRY (REGISTRATION AND LICENSING) RULES, 1958**

G.S.R 47, dated the 12th February, 1958 1 .-In exercise of the powers conferred by Section 26 of the Coir Industry Act, 1953 (45 of 1953). the Central Government hereby makes the following

rules, the same having been previously published as required by sub-section (1) of that section, namely :

**1. Short title and commencement :-**

(1) These rules may be called the Coir Industry (Registration and Licensing) Rules, 1958.

(2) Rules, 1, 2, 4 to 16 and 18 to 31 shall come into force at once and rules 3 and 17 shall come into force three months thereafter.

**2. Definitions :-**

] - In these rules, unless the context otherwise requires, -

(a) "Act" means the Coir Industry Act, 1953;

(b) "Chairman" means the Chairman of the Board;

(c) "coir spindle" means a mechanical contrivance used or intended to be used for spinning coir fibre into coir yarn;

(e) "Form" means a form set forth in the Schedule to these rules;

(f) "industrial establishment" means any premises including any part thereof where reanking of coir yarn is done with hired labour or any process for the manufacture or finishing of coir products or baling of coir fibre or coir yarn is being carried on or is ordinarily carried on, with or without the aid of power;

(g) "notification" means notification in the Gazette of India;

(h) "officer" means an officer of the Board or of the Central Government;

(i) "person" includes a corporation, a firm, an association of individuals and a co-operative society registered under any law relating to co-operative societies;

(j) "Secretary" means the Secretary of the Board;

(k) "year" means the year commencing on the 1st day of April.

**3. Need for registration :-**

No person shall work a coir spindle or an industrial establishment unless it has been registered in accordance with these rules.

**4. Application for registration :-**

Every application for registration of coir spindle or an industrial establishment shall be made to the Secretary or other officer

authorised by him, in Form I or From II, as the case may be, within ninety days of the date of publication of these rules or, in the case of a coir spindle or industrial establishment which is established after such commencement, within thirty days of the date when it starts working :

Provided that the Secretary or such officer may entertain any application made after the specified date if he is satisfied that there was sufficient cause for not making the application in time.

**5. Registration of new establishment :-**

No industrial establishment which is established after the date of publication of these rules shall be registered unless-

(a) it is located in an area declared by the Board, by notification, to be an area where the coir industry is in a nascent state; or

(b) it is proved to the satisfaction of the Secretary or other officer authorised by him that the plant and equipment installed in such establishment were aquired from an industrial establishment which was in existence at the commencement of these rules and which was registered.

**6. Grant of certificate :-**

(2) The distinctive number allotted to a spindle in the certificate shall be marked on the spindle.

**7. Period of validity :-**

Every registration made under these rules shall be valid for a period of three years and may, on application, be renewed for any period not exceeding three years at a time.

**8. Application for renewal :-**

Every application for renewal of registration shall be in Form V or Form VI, as the case may be, be made within thirty days before the date of expiry of and be accompanied by the certificate of registration already granted:

Provided further that Chairman may entertain an application made beyond 30 days of the specified date of application if he is satisfied that there were sufficient reasons for not making the application in time.

**9. Fee :-**

Every application for the registration or the renewal of registration,

of an industrial establishment shall be accompanied by a fee of Re. 1. No fee shall be charged on an application for the registration or the renewal of registration of a coir spindle.

**10. Duplicate certificate :-**

Where a certificate of registration granted under these rules is lost or destroyed, the Secretary may, after making such inquiry as he deems necessary, issue a duplicate on payment of a fee of Re. 1.

**11. Transfer of spindle, etc :-**

(1) Where a coir spindle or an industrial establishment or any plant or equipment installed in such 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 other officer authorised by him for registering the transfer.

(2) Every such application shall be in Form VII or Form VIII, as the case may be.

(3) The Secretary or other officer shall, after making such inquiry as he deems necessary, register the transfer and record an entry to that effect in the certificate of registration.

**12. Change of place :-**

(1) If during the period when the registration of a coir spindle or an industrial establishment is in force, the owner thereof desires to change the place where such spindle or establishment is located, he shall apply to the Secretary or other officer authorised by him at least 30 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.

**13. Power to call for additional information :-**

(1) The Secretary or other 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 the registration; and every such applicant shall be bound to furnish information within the specified period.

(2) The Secretary or such officer may, by order, refuse an

application to register a coir spindle or 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.

**14. Cancellation of registration :-**

Where the Secretary or other officer 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 certificate, the Secretary or such 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 representations : Provided further that a copy of the order together with the reasons for the cancellation shall be communicated to the person concerned.

**15. Appeal :-**

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

**16. Exemption :-**

Notwithstanding anything contained in the foregoing rules, the Board may, by notification, exempt coir spindles or industrial establishments 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, extend such period.

**17. Registration and licensing of exports :-**

No person shall, after the coming into force of this rule export coir fibre, coir yarn or coir products unless he-

(a) has been registered as an exporter, and

(b) has obtained an export licence, under these rules :

Provided that this rule shall not apply to the Central Government or the Coir Board or any person authorised by the Central Government to export coir fibre, coir yam or coir products.

**18. Registration of established exporters :-**

Any person who has, in any of the three years immediately preceding the commencement of these rules, exported not less than twenty-five <sup>1</sup> [tonne(s)] of coir yarn or coir products other

than coir rope, or exported any quantity of coir fibre or coir rope, may be registered as an exporter of coir yarn, coir products other than coir rope or coir fibre or coir rope, as the case may be.

1. Substituted by G. S. R. 255, dated the 1st February, 1963.

**19. Other persons who may be registered :-**

Any other person may be registered as an exporter,-

**19A. Powers of the Chairman to register exporters :-**

<sup>1</sup> -Notwith- standing anything contained in rule 18 or rule 19 the Chairman may register any person as an exporter of coir yarn, coir products or coir fibre if he is satisfied about the financial standing and soundness of the applicant, genuineness of the contract for export, export price, quality of goods to be exported and other like matter.

1. Substituted by G. S. R. 255, dated the 1st February, 1963.

**20. Applications for registration :-**

(2) The applicant shall also be bound to furnish within the period specified in this behalf such additional information in respect of the application as the Chairman or other officer authorised by him in this behalf may require.

**21. 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 Chairman is satisfied that such person has become disqualified to continue as an exporter [or for any other reason to be recorded in writing] the Chairman may, after giving him a reasonable opportunity of making his objections, by order, cancel the registration and communicate to him a copy of such order.

**22. Applications for licence :-**

Every application for a licence to export shall be made in Form X to the Chairman or other officer authorised by him and be accompanied by-

(a) the shipping bill showing the particulars of the quantity, description and value of the goods sought to be exported and the name and address of the consignee,

(b) a certification from an officer authorised by the Chairman in this

behalf or from a recognised chamber of commerce or trade association to the effect that the goods sought to be exported conform to the contract, and

**23. Fee for licence :-**

In respect of every licence, fee shall be levied at the rate of <sup>1</sup> [5 naye paise per 50 kilograms], subject to a maximum of Rs. 100, of the goods covered by the licence: Provided that no fee shall be leviable in respect of a licence to export genuine trade samples or ship stores : Provided further that the Chairman may, by notification, exempt from the operation of this rule any co-operative society the members of which are owners of industrial establishment or any Central Co-operative Marketing Society.

1. Substituted by G. S. R. 255, dated the 1st February, 1963.

**24. Grant of licence :-**

Every export licence shall be granted by the Chairman or other officer authorised by him in this behalf and be subject to such conditions, not inconsistent with these rules, as may be imposed by him.

**25. Period of validity of licence :-**

A licence granted under these rules shall be valid for a period of thirty days from the date of its grant: Provided that the Chairman or such other officer may extend the period if he is satisfied that the failure to ship the goods was for reasons beyond the control of the exporter.

**26. Returns by licensees :-**

Every person who has been granted an export licence shall furnish in Form XI, XII, or XIII, as the case maybe, a statement showing the goods exported and the date of export so as to reach the Chairman or other officer authorised by him on or before the 30th of the month following the month in which the export was made.

**27. Licence not transferable :-**

A licence granted under these rules shall not be transferable.

**28. Cancellation of licence :-**

The Chairman may, by order, cancel a licence granted under these rules if-

(a) the licence has been obtained by fraud or misrepresentation;

(b) the licensee has committed a breach of any law relating to

export of coir or coir products or of any of these rules or the conditions of licence : Provided that no licence shall be cancelled unless the licensee has been given an opportunity of making his representation : Provided further that a copy of the order shall be communicated to the person concerned.

**29. Appeal :-**

Any person aggrieved by an order under rule 21 or rule 28 may within thirty days of the date of receipt by him of a copy of the order, appeal to the Central Government, whose decision thereon shall be final.

**30. Refund of fee :-**

The Chairman may allow a refund of fee levied under these rules in the following cases, namely :

- (a) where the fee has been paid in excess of the prescribed scale;
- (b) where the fee has been paid but no application has been made;
- (c) where the applicant is exempt from payment of fees; and
- (d) where the applicant is not eligible for registration or grant of licence under these rules.

**31. Power to call for returns, etc :-**

(1) The Board may, by general or special order, direct the holder of a certificate of registration or licence 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.