



Bangalore Chamber of Industry and Commerce

'Sheriff Chambers', 14, Cunningham Road, Bangalore - 560 052
Tel: 22286080 – 82; Fax: 22251475; e-mail: bcic@bcic.org.in; website: www.bcic.org.in

Taxation (Excise)

Circular No.63

07.09.2009

All Members

Dear Sirs,

We enclose herewith the following Circular issued by the Government of India, Commissioner of Central Excise, Bangalore for your reference and record.

1. Circular No. 896 /16/ 2009-CX, F.No.267/50/2007-CX-8, dated 1st September, 2009 - Implementation of the provisions of COTP Act, 2003 and The Cigarettes and Other Tobacco Products (Packaging and Labelling) Rules, 2008"- Empowering the Customs & Central Excise Officers - regarding

Thanking you,

Yours faithfully

T.S. Sampath Kumar
Secretary General

Circular No. 896 /16/ 2009-CX, F.No.267/50/2007-CX-8, dated 1st September, 2009.

Implementation of the provisions of COTP Act, 2003 and The Cigarettes and Other Tobacco Products (Packaging and Labelling) Rules, 2008"- Empowering the Customs & Central Excise Officers - regarding

Ministry of Health & Family Welfare has notified the Cigarettes and Other Tobacco Products (Packaging and Labelling) Rules, 2008 prescribing the manner in which the specified health warning shall be displayed on the tobacco product packs covering all types of tobacco products, produced, supplied or distributed in India. The Rules have come into effect from 31.05.2009. In this regard, Board's instructions of even number dated 02.06.2009 may also be referred. All the tobacco products manufactured/ packaged/ imported for sale in India have to bear the specified health warnings as prescribed. A copy of relevant rules/ notifications which have now been received from the Ministry of Health & Family Welfare, is enclosed for ready reference.

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2. Further, the Ministry of Health & Family Welfare has vide Notification dated 30.07.2009 [S.O.1866 (E)] issued from F.No.P-16011/7/2005-PH-I (copy enclosed), notified all officers of the level of Superintendent and above of the Customs & Central Excise as competent to act under Sections 12 and 13 of the COTP Act, 2003 and conferred to them the power of Entry, Search and Seizure under the provisions of the said Act. It is clarified here that the officers are empowered under these provisions only for the places registered with the Central Excise department like factory, and not for other premises of dealers/ retail shops, which are not registered with the department.

3. In view of above, the officers of Central Excise & Customs should ensure that no tobacco products are cleared from the premises registered with the Central Excise department or imported into India without bearing the specified health warning and other requisites as prescribed in the Rules.

**Sd/-
(Amish Kumar Gupta)**

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