

**(i) THE PARTICULARS OF ITS ORGANIZATION, FUNCTIONS AND DUTIES**

Tobacco Board is a statutory body established under an Act of Parliament with effect from 01/01/1976. The Board is working under the administrative Control of the Government of India, Ministry of Commerce & Industry, Department of Commerce. Its headquarter is located at Guntur, Andhra Pradesh in the following address.

**TOBACCO BOARD**

Govt. of India, Ministry of Commerce & Industry,  
Department of Commerce,  
Sreenivasaraothota, G.T.Road,  
**Guntur-522 004** Andhra Pradesh

**FUNCTIONS AND DUTIES OF THE ORGANIZATION**

- 1) It shall be the duty of the Tobacco Board to promote the development of the tobacco industry.
- 2) Without prejudice to the said general provision, the measures referred to there in may provide for:-
  - \*(a) regulating the production and curing of Virginia tobacco having regard to the following factors namely;
    - i. the demand for Virginia tobacco in India and abroad;
    - ii. the suitability of land for growing Virginia tobacco;
    - iii. the differences in soil characteristics and agro climatic factors in different regions of the country where Virginia tobacco is grown and the effect thereof on the quality and quantity of Virginia tobacco produced in those regions;
    - iv. the marketability of different types of Virginia tobacco;
    - v. the need for rotation of crop, and
    - vi. the nature of the holdings of the growers of Virginia tobacco whether owned or leased.

\* *Clause (a) was substituted vide Tobacco Board (Amendment) Act, 1985 published in the extraordinary Gazette of India Part II, Section-1, Dt.06/09/1985.*
  - b) keeping a constant watch on the Virginia tobacco market, both in India and abroad, and ensuring that the growers get a fair and remunerative price for the same and that there are no wide fluctuations in the prices of the commodity;
  - c) maintenance and improvement of existing markets, and development of new markets outside India for Indian Virginia tobacco and its products and devising of marketing strategy in consonance with demand for the commodity outside India, including group marketing under limited brand names;
  - \*(cc) establishment by the Board of auction platform, with previous approval of the Central Government, for the sale of Virginia tobacco by registered growers or curers, and functioning of the Board as an auctioneer at auction platforms established by or registered with its subject to such conditions as may be specified by the Central Government.

*Inserted vide the Tobacco Board (Amendment) Act 1978 published in the extraordinary Gazette of India Part-II, Section-1, Dt.30/08/1978*
- \*\* (d) deleted;
 

\*\* *Deleted vide the Tobacco Board (Amendment) Act 1978 published in the extraordinary Gazette of India Part-II, Section-1, Dt.30/08/1978.*
- e) regulating in other respects Virginia tobacco marketing in India and export of Virginia tobacco having due regard to the interests of growers, manufacturers and dealers and the nation;

- f) propagating information useful to the growers, dealers and exporters (including packers) of Virginia tobacco and manufacturers of Virginia tobacco products and others concerned with Virginia tobacco and products thereof;
  - g) purchasing Virginia tobacco from growers when the same is considered necessary or expedient for protecting the interests of the growers and disposal of the same in India or abroad as and when considered appropriate;
  - h) Promoting the grading of tobacco at the level of growers;
  - i) Sponsoring, assisting, coordinating or encouraging scientific, technological and economic research for the promotion of tobacco industry;
  - j) Such other matters as may be prescribed;
- 3) Without prejudice to the generality of the provisions of sub-section (1) and subject to priority being given to matters specified in sub-section (2), the measures referred to in sub-section (1) may also provide in relation to tobacco, other than Virginia tobacco, for all or any other matters specified in clauses (c) to (g) of sub-section (2) and for this purpose any reference in those clauses to Virginia tobacco shall be construed as including a reference to tobacco other than Virginia tobacco.
- 4) The Board shall perform its functions under this section in accordance with and subject to such rules as may be made by the Central Government and such, rules may in particular make provisions for ensuring that the Board functions in close liaison with Union agencies, institutions and authorities concerned with the tobacco industry (including growing of tobacco) and avoids duplication of effort.

#### **POWERS AND DUTIES OF ITS OFFICERS:-**

**Vide Government of India Gazette No. G.S.R. 666(E) dated 05/07/2017**, in exercise of the powers conferred by sub-section (2) of section 32 read with section 8 of the Tobacco Board Act, 1975 (4 of 1975) the Central Government hereby makes amend the Powers and Duties of Chairman, Executive Director and Secretary with effect from 05/07/2017.

#### **Powers and Duties of Chairman:-**

- a) The Chairman shall preside over the meetings of the Board.
- b) The Chairman shall have power to require the Board or any committee thereof to defer taking action in pursuance of any decision taken by the Board or the Committee, as the case may be, pending a reference to the Central Government on such decision.
- c) Where a matter has to be disposed of by the Board or a Committee and a decision in respect of that matter cannot wait till a meeting of the Board or the Committee, as the case may be, is held or till the circulation of the resolution relating to that matter among the members of the Board or Committee, as the case may be, the Chairman may take the decision himself.
- d) Where the Chairman takes a decision under sub-rule (3), he shall submit the same for ratification to the Board or the Committee, as the case may be, at its next meeting.

*Provided that where the Board or the Committee modifies or cancels the action taken by the Chairman, such modification or cancellation shall be without prejudice to the validity of any action taken before such modification or cancellation."*

#### **Powers and Duties of Executive Director:-**

The Executive Director shall be the Chief Executive of the Board and shall be responsible for the proper functioning of the Board and for the discharge of its functions under the Act and the rules made there under.

#### **The Executive Director shall have the following powers, namely:-**

- (i) to grant leave to all officers and employees of the Board;
- (ii) to exercise administrative control over all departments and offices of the Board;

- (iii) to call for documents and records and to inspect or cause to be inspected any land or premises including places of business or sorting, curing, processing, grading, manufacture, packing, storage or auction as required under the Act or these rules or as may be considered necessary for discharging properly any of the functions of the Board;
- (iv) to sanction expenditure for contingencies, supplies and services and purchase of articles required for the working of the office of the Board; and
- (v) to carry out measures referred to in section 8 of the Tobacco Board Act, 1975.

The Executive Director shall be responsible for implementing the Boards policies in regard to regulation of production and internal marketing of Virginia tobacco, ensuring a fair and remunerative price to growers, purchasing of Virginia tobacco from the growers when considered necessary by the Board, the disposal of the tobacco so purchased, promoting the grading of Virginia tobacco at the level of growers, sponsoring, assisting, coordinating or encouraging scientific, technological and economic research for the promotion of the tobacco industry. It shall also be the responsibility of the Executive Director to ensure that in carrying out these functions, the Board works in close liaison with union agencies, institutions and authorities such as the Directorate of Marketing and Inspection, the Indian Council of Agricultural Research etc., which may be concerned with these aspects of the tobacco industry and avoids duplication of effort.

The Executive Director shall present to the Board such periodical reports in respect of the work under his charge and the functions enumerated in sub-rule (3), as may be specified from time to time by the Board or the Government.”

#### **Powers and Duties of the Secretary.-**

- (1) The Secretary shall be responsible for the implementation of the decisions arrived at by the Board or by its Committees and the discharge of the duties imposed on him under the Act or by the rules made there under.
- (2) Subject to such powers and duties as may be delegated by the Executive Director, the Secretary shall –
  - (a) cause all important papers and matters presented to the Board as early as practicable;
  - (b) issue directions as to the method of carrying out the decisions of the Board;
  - (c) grant receipts on behalf of the Board for all moneys received under the Act;
  - (d) maintain or cause to be maintained an account of the receipts and expenditure of the Board and also the various registers that may be prescribed for the Board under the Act or these rules;
  - (e) receive applications from growers, curers, exporters, packers, auctioneers, dealers, owners or **lessors** of auction platforms, for registration with the Board under section 10 to 13 of the Act, examine them in accordance with the policy of Board, the provisions of the Act and the rules made there under and issuing necessary certificates of registration or otherwise communicating the decision on such **applications** to the applicants;
  - (f) receive appeals, written or oral, against the decisions of the Board and taking appropriate action thereon in accordance with the provisions contained in the Act, and the rules made there under and the guidelines that may be laid down by the Tobacco Board;
  - (g) present an annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government not later than the dates specified from time to time in this behalf by the Central Government for being laid before each House of Parliament; and
  - (h) assist the Executive Director in all administrative matters and in the discharge of such other functions as may be decided the Executive Director.