

TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY
(PART-I, SECTION-1)

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

PUBLIC NOTICE No.49 (RE-2008) /2004-09

NEW DELHI: Dated the 8th July, 2008

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy, 2004-09, the Director General of Foreign Trade hereby makes the following amendments in the Handbook of Procedures, Vol. 1(RE-2008):

2. The following para shall be added at the appropriate place in the Handbook of Procedures Vol.I:

“2.11A In case of import of any freely importable item in India, if a foreign Government insists on certification of end user of the item, before permitting export of the same from their country, RA may issue such certificates as per Appendix 31A of HBPv1. The certificate shall be issued based on application made under ANF 2C-1 along with documents prescribed therein”.

3. Appendix 31A and ANF 2C-1 are notified as Annexure-1 and Annexure-2 of this Public Notice.

This issues in public interest.

(R.S. Gujral)
Director General of Foreign Trade
And Ex-Officio Additional Secretary to the Govt. of India

(Issued from File No.01/93/180/33/AM09/PC-II(B))

APPENDIX 31-A

FORMAT OF END USER CERTIFICATE UNDER PARA 2.11 A OF HBPV1

No.DGFT /2005-06

GOVERNMENT OF INDIA
IMPORT CERTIFICATE

1. Exporter (Name & Address)

2. Importer (Name & Address)

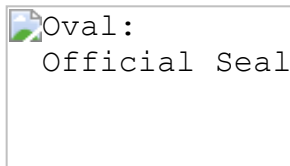
Description of Goods	Quantity	Value

It is certified that the importer named above has undertaken:

- To import the item into India and not to redirect it or any part of it, to another destination before its arrival in India.
- To provide, if asked, verification that possession of the item was taken.
- Not to re-export the item without the written approval of the Certificate Issuing Authority.
- Not to retransfer within India the item(s) specified in this Certificate without the written approval of the Certificate Issuing Authority.
- To obtain permission in writing from the Certificate Issuing Authority prior to any change in end-user which shall be preceded by the new end-user notifying the Certificate Issuing Authority that he/she agrees to the conditions contained in this document.

Date

Signature.....



Designation.....

Note: This import certificate is not a substitute for import Licence in respect of the items mentioned as restricted under ITC(HS) and an import licence, in addition to this Certificate, will have to be obtained wherever required for such items

Annexure-2 to Public Notice No.49 dated 8.7.2008

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ANF 2C-1

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Application Form for End User Certificate under Para 2.11A of the HBPv1

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1. IEC Number

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2. Applicant Details

i. Name
ii. Address

3. Application Submission Details (in case of electronically submitted applications)

i. ECOM Reference Number
ii. Date of Submission on Server
iii. Submitted to which Regional Authority
iv. File Number
v. Date of Issue

4. Application Fee Details

Amount (Rs)
Demand Draft/Bank Receipt/Electronic Fund Transfer No
Date of Issue
Name of the Bank and its Branch on which drawn

-
5. Exporter Details

i. Name
ii. Address

-
-

6. Items of Import for which end user Certificate is required

S No	Item details	ITC(HS) Code	Quantity	CIF Value (Rs)	Whether capital good or raw material

7. Purpose of Import

a. If required for Manufacture please furnish

- i. IL / SIA / DGTD / SSI registration number
- ii. End Product as given in registration certificate
- iii. Actual items of manufacture

b. If required for Research & Development, please furnish

- i. Registration details with Department of Science & technology
- ii. Validity of Registration
- iii. Specific project for which items required

c. If required for Other Actual Users (Non Industrial), please furnish

- i. Registration Certificate details
- ii. Permission details of local/municipal body

8. i. Whether the items of import are under Restricted List of ITC(HS) Yes/No

ii. File number of application submitted to *Regional* authority for Import Licence

9. Address of the factory / premises where the items to be imported are proposed to be used

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DECLARATION / UNDERTAKING

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1. I / We hereby declare that the particulars and the statements made in this application are true and correct to the best of my / our knowledge and belief and nothing has been concealed or held there from.
2. I / We fully understand that any information furnished in the application if found incorrect or false will render me / us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
3. I / We undertake to abide by the provisions of the FT (D & R) Act, 1992, the Rules and Orders framed there under, FTP, HBP v 1 and HBP v2 and ITC (HS).

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- a. I / We hereby certify that the firm / company for whom the application has been made has not been penalized under Customs Act, Excise Act, FT (D & R) Act 1992 and FERA / FEMA.

- b. I / We hereby certify that none of the Proprietor / Partner(s) / Director(s) / Karta / Trustee of firm / company, as the case may be, is / are a Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / Company which has come to adverse notice of DGFT.
- c. I / We hereby certify that the Proprietor / Partner(s) / Director(s) / Karta / Trustee, as the case may be, of the firm/company is / are not associated as Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / company which is in the caution list of RBI.
- d. I / We hereby certify that neither the Registered Office / Head Office of the firm/company nor any of its Branch Office(s) / Unit(s) / Division(s) has been declared a defaulter and has otherwise been made ineligible for undertaking import / export under any of the provisions of the Policy.
5. I / We hereby declare that I / We have not obtained nor applied for such benefits (including issuance of an Importer Exporter Code Number) in the name of our Registered / Head Office or any of our Branch(s) / Unit(s) / Division(s) to any other Regional Authority.
- 5A. I / We hereby declare that I/we have perused the list of SCOMET items as contained in the Appendix 3 to the Schedule 2 of the ITC (HS) and that the item(s) exported / proposed to be exported does not fall within this list and that I / We agree to abide by the provisions of FTP for export of SCOMET items contained in the FTP, Schedule 2 of ITC (HS) and the HBP v1, irrespective of the scheme under which the item is exported / proposed to be exported.
6. I / We solemnly declare that I / We have applied for / obtained a RCMC to the EPC which pertains to our main line of business. In case we have applied to any other council, the application has been made within the purview of the provisions of Para 2.67 and Para 2.67.1 of the HBP v1.
8. I _____ (Name of the Organization), a Government entity/Government controlled entity/ private sector entity (Delete whichever is not applicable) hereby undertake
- i) To import the item into India and not to redirect it or any part of it, to another destination before its arrival in India;
- ii) To provide, if asked, verification that possession of item was taken;
- iii) Not to re-export the item without any written approval of Certificate Issuing Authority;
- iv) Not to retransfer within India the item(s) specified in this certificate without the written approval of the Certificate Issuing Authority;
- v) To obtain permission in writing from the Certificate Issuing Authority prior to any change in end-user which shall be preceded by the new end-user notifying the Certificate Issuing Authority that he/she agrees to the conditions contained in this document;
- vi) The items being imported will/will not be integrated into Indian end-products to be exported.
8. I hereby certify that I am authorised to verify and sign this declaration as per Paragraph 9.9 of the Policy.

Signature of the Applicant
 Name
 Designation
 Official Address
 Telephone
 Residential Address
 Email Address

Place
 Date

GUIDELINES FOR APPLICANTS

Please see paragraph 2.11A of HBP v1

1. Two copies of the application must be submitted unless otherwise mentioned.
2. Each individual page of the application has to be signed by the applicant.
3. a. ANF 1 has to be filled in by all applicants. In case of applications submitted electronically, no hard copies of ANF1. However in cases where applications are submitted otherwise, hard copy of ANF1 has to be submitted.

b. Only relevant portions of Application need to be filled in.

4. Application must be accompanied by documents as per details given below:

- a. Bank Receipt (in duplicate)/Demand Draft/EFT details evidencing payment of application fee in terms of Appendix 21B.
- b. Self certified copy of letter from foreign supplier in support of request for end user Certificate.
- c. Requisite certificate from a Chartered Engineer certifying that goods proposed to be imported are required by the manufacturing unit for its own use.