

COMMISSIONER OF CUSTOMS , CENTRAL EXCISE
SERVICE TAX , TELANGKHEDI ROAD, CIVIL LINES , NAGPUR.-I

8: M/VIII(9)CUS/01/ICD/NGP/2010/ 8077-8 Dated April, 2010.
16/4

PUBLIC NOTICE NO. 6/2010

DATED 15/04/10

SUB: Procedure to be followed for granting of Letter of Factory Stuffing Permission (LoFSP) / Self Certification & Self Sealing permission to manufacturer-exporters, merchant-exporters and onetime/first time exporters and seasonal exporters on prior -verification basis -regarding

It has been brought to the notice that the factory stuffing permission is granted at ICD, Ajni, Nagpur to the exporters on case to case basis for which the exporters have to make applications consignment-wise to the Superintendent / Assistant Commissioner, ICD, Ajni, Nagpur. Consignment-wise application is a cumbersome procedure for the exporting community as well as for the departmental officers. Therefore, it has been decided to make the changes in the procedure for grant of factory stuffing permission / Self Sealing permission as outlined below :-

The eligible exporters will make applications in the format annexed to this Public Notice as **Annexure 'A'** along with the documents mentioned in para 8 & 10 below.

2. The FSP Cell in the Customs Technical Section in the office of the Commissioner of Customs , Central Excise & Service Tax , herein after will issue Letter of Factory Stuffing Permission (LoFSP) in the format as annexed to this Public Notice (**Annexure 'B'**) to the categories of exporters mentioned below subject to the requirements detailed therein and thereof.
3. In terms of Board's Circular No 860/18/2007-CX dated 22.11.2007 self sealing of export of goods has been made mandatory for the manufacturer - exporters (whether status holder or not) who export such goods under free shipping bills. Therefore, LoFSP will not be granted to the manufacturer-exporters exporting goods under free shipping bills.

However, they can opt for factory stuffing of export goods under export incentive schemes and permission will be given scheme-wise.

4. In case of non-status holder manufacturer exporters operating under any of export incentive schemes i.e in case of exports other than under free shipping bills, the LoFSP will be granted only on receipt of prior verification report regarding the genuineness of the existence and functioning of the units and the No objection Certificate from the concerned jurisdictional Central Excise Authorities regarding deputing of officers for supervising the export stuffing. The genuineness of the IEC will also be confirmed from DGFT before issue of LoFSP.

5. Similarly, in case of non-status holders merchant exporter the LoFSP will be granted only on receipt of prior verification report regarding the genuineness of the existence and functioning of the units and No objection Certificate from the concerned jurisdictional Central Excise Authorities regarding deputing of officers for supervising the export stuffing. The genuineness of the IEC of the exporter will also be confirmed from DGFT website before issue of LoFSP.

6. In case of status- holder merchant and manufacturer exporters, the LoFSP will be granted provisionally which will be valid for 30 days and within such period the verification reports i.e NOC from the concerned jurisdictional Central Excise Authorities regarding deputing of officers for supervising the export stuffing and verification report regarding the genuineness of the existence and functioning of the unit shall be submitted by them failing which the permission will stand automatically cancelled.

6.1. Self-sealing and self-certification is a scheme where the exporter who is a manufacturer or owner of a warehouse, may remove the goods for export from his factory or warehouse without examination by a Central Excise officer. This procedure will also be permitted in the cases where a merchant -exporter procures the goods directly from a factory or warehouse. In both cases, the manufacturer of the export goods or owner of the warehouse shall take the responsibility of sealing & certification. For this purpose the owner, the working partner, the Managing Director or the Company Secretary , of the manufacturing unit of the goods or the owner of the warehouse or a person (who should be permanent employee of the said manufacturer or owner of the warehouse holding reasonably

high position) duly authorised by such owner , working partner or the Board of Directors of such Company, as the case may be , shall certify on all the copies of the application (A.R.E.1) that the goods have been sealed in his presence. The details of such persons will be furnished at sr. no. 16 of the Application for this permission.

6.2 The facility of self sealing / self certification is also extended to export of non-excisable agriculture products , subjected to the condition that these shall be examined at the port of export , as per the norms prescribed under circular no. 6/2002-Customs dated 23-01-2002.

7. In case of first time exporters the factory stuffing permission from ICD, Nagpur will be granted only after verifying the genuineness of their existence (IEC from DGFT) and warehouse/factory premises from Central Excise Authorities.

8. In order to look into the aspect of the genuineness of the manufacturer exporter / merchant exporters, who are exporting various goods for the FIRST TIME through ICD, Ajni, Nagpur. The first time exporter or his Clearing Agent (CHA) will submit along with the Application any three of the following three documents:

any
3
for
all
first
time
applicants.

- (i) Copy of VAT/Sales Tax Registration/Exemption certificate of the merchant exporter.
- (ii) A certificate from the Bank with whom the Bank Account is being maintained for the purpose of remittance of foreign exchange to the effect that account is being maintained satisfactorily.
- (iii) Where the bank account is less than 3 months old, details of other bank accounts held by the exporter.
- (iv) Details of past exports made from other ports if any.
- (v) Balance sheet of the previous year.
- (vi) Copy of the last Income Tax Return/VAT or Sales Tax Return filed.
- (vii) Copy of Central Excise Registration Certificate in case of Manufacturing unit.

Since the initiative is to prevent the offence at the initial stage of export itself, CHAs are expected to play a positive role in this regard in terms of Regulation 13 of Customs House Agents Licensing Regulations,

2004. Once three of the documents mentioned at para 8(i) to (vii) above are filed, export will be allowed as per normal procedure.

9. Though the LoFSP granted to manufacturer -exporters and others is one time permission in nature, their track record will be monitored and reviewed periodically i.e after a period of every six months. The LoFSP will be cancelled forthwith in cases where the verification report is adverse, not received within the stipulated period and / or the exporters are facing any proceedings under Customs, Excise, Service Tax or any other allied Acts.

10. All the exporters who seek LoFSP shall submit their request in the prescribed application form (as in **Annexure-A**) along with the following documents to the Assistant Commissioner, Customs Technical, (FACTORY STUFFING CELL), Central Excise Hqrs , Telengkhedi Road, Civil Lines, Nagpur.

This will be for factory stuffing.

- i) NOC issued by Central Excise Authorities for deputing officers for supervising the factory stuffing of export cargo
- ii) Original copy of the verification report of the genuineness of the existence and functioning of the factory and all other details sought for in **Annexure-A** issued by Central Excise addressed to the Assistant Commissioner, Customs Technical, (FACTORY STUFFING CELL), Central Excise, Telengkhedi Road, Civil Lines, Nagpur, (in sealed Cover).
- iii) Copy of the IEC issued by DGFT. ✓
- iv) e-mail address of the unit and the telephone number of the GM/CEO of the unit. ✓

11. The FSP CELL upon receipt of the application along with the said documents will cross check the genuineness of the details furnished in the sealed cover with the soft copy of the verification report received from the official e-mail address of the jurisdictional AC/DC Central Excise and also the genuineness of the IEC from DGFT website. The LoFSP shall within one week be granted to the exporter.

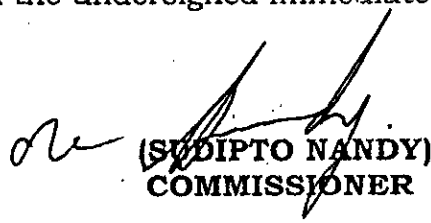
12. The Exporters clearing goods under the Factory stuffed Permission shall invariably produce at the time of goods registration a copy of the LoFSP duly attested by the Jurisdictional Central Excise officer along with the ARE-1 and other documents. The goods Examining Officers posted in

the Export Shed will cross check the validity of factory stuffing permission.

13. The Central Excise officer who supervised the examination and stuffing of the cargo in the appointed premises as per the LoFSP shall mention his office contact Number and put his stamp of name and designation in the examination report/ARE-1 and other documents. Similarly, the contact number, name, designation of the authorized signatory of the exporter also will be legibly indicated below his signature in the ARE-1 that accompanies the export goods. The Central Excise Officers will follow the instructions contained in **Annexure C** to this Public Notice, while Supervising / Examining the factory stuffed Containers.

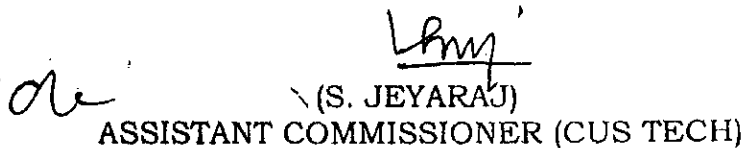
14. As transitional arrangements, the practice of granting consignment-wise permission may continue as an option to the exporting community until 30.04.2010 and thereafter with effect from 01.05.2010, the procedure set out in this Public Notice shall be strictly adhered to.

15. Any difficulty experienced in the implementation of this Public Notice may be brought to the notice of the undersigned immediately.


(SUDEPTO NANDY)
COMMISSIONER

To,
All the Concerned
Copy to:-

1. The Chief Commissioner of Customs, Central Excise & Service Tax, Nagpur Zone, Nagpur.
2. The Additional Commissioner of Customs, Nagpur.
3. All the AC/DC, Customs & Central Excise Division - Nagpur I/II, Bhandara, Amravati, Chandrapur.
4. The Assistant Commissioner, Customs ICD, Ajni, Nagpur.
5. The President, Nagpur Custom House Agents Association, Nagpur.


(S. JEYARAJ)
ASSISTANT COMMISSIONER (CUS TECH)

ANNEXURE -A

**APPLICATION FORM FOR OBTAINING LETTER OF FACTORY
STUFFING PERMISSION / SELF SEALING PERMISSION**

1. IEC Details	
i. IEC Number	
ii. Date of issue	
iii. Issuing Authority	
2. Applicant Firm Details	
i. Name	
ii. Address (Registered Office in case of Companies and Head Office in case of Others)	
iii. Address of Factory where goods are manufactured	
iv. Telephone Nos.	
v. Email address (for correspondence with JNCH)	
3. Details of Proprietor/ Partners/ Directors of the applicant firm	
i. Name	
ii. Father's Name	
iii. Residential Address	
iv. Telephone	
4. Nature of Concern (please tick)	
i. Government Undertaking	
ii. Public Limited Company	
iii. Private Limited Company	
iv. Proprietorship	
v. Partnership	
vi. Others	

5. Type of Exporter (please tick)	
i. Merchant Exporter	
ii. Manufacturer Exporter	
iii. Merchant cum manufacturer Exporter	
iv. Other (please specify)	

6. Industrial Registration Details
i. SSP/IEM/LOI or IL Registration Number
ii. Date of issue
iii. Issuing Authority
iv. Products for which registered

7. RCMC Details
i. RCMC Number
ii. Date of issue
iii. Issuing Authority
iv. Valid upto
v. Products for which registered

8. Status House Details
i. One/Two/Three/Four/Five Star
ii. Certificate Number
iii. Date of Issue
iv. Issuing Authority
v. Validity Date

9. PAN and Bank Details
i. Pan Number
ii. Issuing Authority
iii. Name of the Bank
iv. Account No.

v. Type of Account
10. Excise Details
i. Excise Registration Number
ii. Issuing Authority
iii. Range & Address (Phone Number)
iv. Division & Address (Phone Number)
v. Commissionerate & Address. (Phone Number)

11. VAT Details
i. VAT Registration Number
ii. Issuing Authority

12. Turnover Details for the preceding three licensing years

FY	Annual Domestic Turnover (Rs. Lakhs)	Annual Export Turnover (Rs. Lakhs)

(enclose copies of Balance sheets for three years)

13. Factory Stuffing Premises Details
i. Name
ii. Address (including Survey No)
iii. Storage / handing capacity
iv. Facilities in the premises (Attach a separate sheet)
v. Telephone No of CEO/GM
vi. email address
vii. Details of directs of the stuffing premises

14. Details of goods for which permission is sought
i. Nature and description of export goods
ii. Scheme of export
iii. RITC Code Nos. (Attach a separate sheet, if required)
iv. Nature of packing material used in the export of goods
v. Whether export item is prohibited, restricted or freely exportable.(

copy of Export Policy to be enclosed)

15. CHA details

i. Name of the CHA

ii. Address

iii CHA Licence No.

iii. Name of the Directors / CEO's

iv. Telephone Numbers of Directors / CEO's /G.M.

v. email address of CHA

16. In case of Self-Certification & Self-Sealing, please furnish the following details:

i. Name of the Authorized person

ii. Designation

iii Authorized by

iv. Copy of the Authorization

17. Please provide details of proceedings initiated under Customs / Excise / Service Tax , if any for past three years.

Place

Date

Signature of the Exporter

Name

Designation

Official Address

Residential Address

Email Address

Telephone No.

Mobile No.



DECLARATION / UNDERTAKING

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 withheld therefrom.
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 hereby certify that the firm / Company for whom the application has been made have not been penalized under Customs Act/Allied Acts.
4. I hereby certify that I am authorized to verify and sign this declaration in terms of Power of Attorney vested in me by the Firm / company.

Place

Signature of the Applicant

Date

Name

Designation

Official Address

Residential Address

Email Address

Telephone No.

Mobile No.