

(TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY PART-I SECTION-I)
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

PUBLIC NOTICE No. 37/2015-2020
NEW DELHI, DATED THE 4TH OCTOBER, 2016

Sub: Amendment in Para 4.94(a)(i), 4.94(a)(ii) and ANF-4I of Hand Book of Procedures 2015-20-reg

In exercise of powers conferred under Paragraph 1.03 of the Foreign Trade Policy 2015-2020, as amended from time to time, the Director General of Foreign Trade makes the following amendments in Hand Book of Procedures 2015-2020:

2. The existing Para 4.94(a) (i) is amended to read as under:
*Four Star Export House (status on the basis of exports made only of Gems & Jewellery Sector items **excluding export performance from SEZ/EOU units, if any**) and Five Star Export House (**excluding export performance of Gems and Jewellery items from SEZ/EOU units, if any**) may apply to the concerned Regional Authority online in ANF 4- I for issue of Nominated Agency Certificate. Applicant shall upload a self-attested copy of the valid Status Holder Certificate issued under FTP 2015-2020.*
3. The existing Para 4.94(a)(ii) is amended to read as under:
*On the date of application for renewal of Nominated Agency Certificate, the Status Certificate must be valid for next financial year also. Secondly, applicant should also be eligible to qualify to be recognized as Four Star Export House (based on the export of gems and jewellery sector items **excluding export performance from SEZ/EOU units, if any**) / Five Star Export House(**excluding export performance of Gems and Jewellery items from SEZ/EOU units, if any**) on the date of application. In other words, Regional Authority shall reassess the eligibility of status holder based on export performance before issuing / renewing the Nominated Agency Certificate.*
4. The existing ANF-4I is amended and revised ANF-4I is annexed with this Public Notice.

Effect of this Public Notice:

With this amendment, the export performance of Gems and Jewellery items from SEZ/EOU units shall not be clubbed with export performance from DTA units of any IEC holder for grant of Nominated Agency Certificate and accordingly changes in Para 4.94(a)(i), 4.94(a)(ii) and ANF-4I are also carried out.


(Anup Wadhawan)
Director General of Foreign Trade

(Issued from File No.-01/94/180/39/AM17/PC-4)

ANF- 4I**Application for Issue of Nominated Agency Certificate (NAC) / Renewal of Nominated Agency Certificate**

[Please see guidelines given at the end before filling the application online]

Part A

1	IEC No.		Branch Code	
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2	Application for (please tick)	Grant of fresh Nominated Agency Certificate	Renewal of Nominated Agency Certificate
	(i) Date of issue of Nominated Agency Certificate: (ii) Expiry date (in case of request is for renewal of NAC):		

3	Ecom. Reference No	Submission Date	Submitted To	RA File No	RA File Date

4	Category of Status Certificate held (please tick): Four Star Export House / Five Star Export House
	Number of Status Certificate :
	Date:
	Validity:

5.	Nature of concern (please tick mark)
i.	Merchant Exporter
ii	Manufacturer Exporter
iii	Service Provider
iv	Merchant cum Manufacturer
v	Others (Please specify)

6	RCMC Number	Date	Issuing Authority	Validity Period	Products for which registered

7	Application Fee details - Sr. No.	Receipt/Electronic Fund Transfer No. / Credit Card	Name of the Bank Branch	Pay Mode	Date	Amount (in Rs.)

8	Excise Registration Number	Address of the jurisdictional Central Excise Authority under whose jurisdiction the factory / premises situated.	Address of the factory / premises where the items to be imported are proposed to be used

Part B

9. Details of Exports / Deemed Exports / Foreign Exchange earned(excluding export performance of Gems and Jewellery items from SEZ/EOU units, if any) during preceding licensing years and current year (i.e. year in which application is filed), duly certified by CA/ICWA/CS in annexure attached.		
Sr No	Year (Please specify the year)	Exports (in USD)
i.	Current Year	
ii	Previous Year 1	
iii	Previous Year 2	
iv	Previous Year 3	
v	Previous Year 4	
vi	Previous Year 5	

DECLARATION / UNDERTAKING

I / We hereby declare that:

1. I/We have not been penalized under any of the following Acts (as amended from time to time): (i) The Customs Act, 1962, (ii) The Central Excise Act 1944, (iii) Foreign Trade (Development & Regulation) Act 1992, and (iv) The Foreign Exchange Management Act, 1999; (v) The Conservation of Foreign Exchange, Prevention of Smuggling Activities Act, 1974 B.
2. 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 and 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 would abide by the provisions of the Foreign Trade (Development and Regulation) Act, 1992, the Rules and Orders framed there under, the Foreign trade Policy, the Handbook Procedures and the ITC(HS) Classification of Export & Import Items as well as RBI and Customs guidelines, as amended from time to time, as applicable to Nominated Agencies.
4. None of the Proprietor/ Partner(s) / Director(s) / Karta / Trustee of the 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 the adverse notice of DGFT or in the caution list of RBI to the best of my knowledge.
5. that I/we have perused the list of SCOMET items as contained in the Appendix 3 to the Schedule 2 of the ITC (HS) Classifications of Export-Import Items, 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 the Policy for export of SCOMET items contained in the Foreign Trade Policy, Schedule 2 of ITC (HS) and the HBP, irrespective of the scheme under which the item is exported / proposed to be exported (the underlined portion will be deleted in case an application for export license for SCOMET item is being filed).
6. no export proceeds are outstanding beyond the prescribed period as laid down by RBI or such extended period for which RBI permission has been obtained.
7. that I/We have updated the IEC profiles in ANF-1
8. **that I/we have not included the export performance of Gems and Jewellery items from SEZ/EOU units.**
9. I am authorised to verify and sign this declaration as per Paragraph 9.06 of the FTP.

Place:
Date:

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

GUIDELINES FOR APPLICANTS

[Please see paragraph 4.41 of FTP and 4.94 of HBP]

1. Application shall be filed online using digital signature only.
2. RCMC details need not be given if the same has already been updated in ANF-1.
3. Please upload following documents:
 - a. Self certified copy of valid Status Holder Certificate.
 - b. Annexure-I to ANF 4I.
 - c. **Export performance of Gems and Jewellery items from SEZ/EOU units to be excluded for calculating eligibility for Nominated Agency Certificate.**
 - d. Relevant half yearly return(s), if applicable, as per the format given in Appendix 4-O for the period April to September / October to March

Annexure to ANF 4I

CERTIFICATE OF CHARTERED ACCOUNTANT (CA) / COST ACCOUNTANT (ICWA)/ COMPANY SECRETARY (CS)

I / We hereby confirm that I / We have examined prescribed registers and also relevant records of M/s
.....having IEC Number for licensing period (s)
.....and hereby certify that:

1. Following documents / records have been furnished by applicant firm / company and have been examined and verified by me / us namely: - a. Statutory documentations under Customs Act 1962 and Excise Act 1848, Service Tax Act, Foreign Trade (Development & Regulation) Act 1992; b. Export Order / Contract, Shipping Bills, Bill of Lading (and / or Airways Bills / PP Receipts), Customs / Bank attested Invoices, Forward Inward Remittance Certificates (FIRCs) and Bank Certificates of exports and realization, GR declaration and connected books of accounts; c. FIRCs, Certificate from international credit card companies.

2. Information given by applicant firm / company in ANF 4I is in agreement with FTP 2015-20, as amended, and rules and procedures made there under, relevant register and records and books of accounts maintained by M/s
..... and their subsidiaries and is also true and correct.

3. That export performance of Gems and Jewellery items from SEZ/EOU units has not been included for calculating the eligibility for Nominated Agency Certificate.

4. It has been ensured that a. Information furnished is true and correct in all respects; no part of it is false or misleading and no relevant information has been concealed or withheld; b. In respect of export of goods, a shipment can counted in applicants export turnover / performance only if the realization of export proceeds from overseas is in the applicant's bank account. c. In respect of service providers, realization of export proceeds in free foreign exchange pertains to rendering of services.

5. Neither I, nor any of my / our partners is a partner, director, or an employee of above-named entity, its Group companies or its associated concerns;

6.. If any of documents of record mentioned in serial number (i) have not been maintained / furnished, examined or verified, they may please be specified below:-

Place:

Date:

Signature of CA/ ICWA / CS:

Name of the Signatory:

Membership No:

Address:

e-mail Address: