

PUBLIC NOTICE NO. 42 (RE 2010)/2009-14

NEW DELHI THE 30th MARCH, 2011

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy, 2009-14, the Director General of Foreign Trade hereby makes following amendments to the Handbook of Procedures, Volume 1 (Appendices and Aayat Niryat Forms), 2009-14:

Aayat Niryat Form 2E (ANF 2E) as given in Annexure to this Public Notice, shall replace the existing ANF 2E in the Handbook of Procedures, Volume 1 (Appendices and Aayat Niryat Forms), 2009-14.

2. This amendment shall be applicable w.e.f. 1.4.2011. All applications for permission for export of SCOMET items filed from 1.4.11 onwards must be filed in the new ANF 2E.

3. **Purpose of the Public Notice:** Prescribed application form for export licence for SCOMET items is 'Aayat Niryat Form 2E (ANF 2E)'. Based on feedback received from exporters, a simplified, rationalized and easy to fill ANF 2E has been designed which includes a revised 'Declaration / Undertaking'. 'Guidelines for Applicants' too have been made exhaustive with a view to facilitate fill

g of the form. New ANF 2E is applicable w.e.f. 1.4.2011. All applications for export of SCOMET items filed from 1.4.2011 onwards must be filed in the new ANF 2E.

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(Issued from File No.01/91/171/37/AM 10/EC)

ANNEXURE TO PUBLIC NOTICE NO. 42 DATED 30th MARCH, 2011

ANF 2 E

Application Form for export of SCOMET Items listed in Appendix 3 of Schedule 2 of ITC (HS) Classifications of Export and Import Items

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

1. Applicant Details:									
i	IEC								
ii.	Name								

iii. Address	Flat/Plot/Block No.																
	Street/Area/Locality																
	City																
	State							PIN Code									
iv. Telep hone No.		Country Code			Area Code						Tel.No.						
	(1)																
	(2)																
v. Fax No.		Country Code			Area Code						Fax No.						
vi. E-mail address where authorisation to be sent		E-mail (1)						E-mail (2)									

2. Details of SCOMET items in Appendix 3 of Schedule 2 of ITC (HS) Classifications of Export & Import Items applied for export: (If required, attach extra sheet (A4 size) in the same format)

Sl. No.	SCOMET Category i.e. 1B, 1C, 2, 3, 4, 5 and 7	SCOMET Item No	Description of export items	ITC (HS) Code No. (if available)	Quantity	Total FOB Value		
						In relevant Foreign Currency	In Rupees	In US\$

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3. Details of exports of SCOMET items in the preceding 3 licensing years. (Details of the export last made, if no export was made during the preceding licencing year): (If required, attach extra sheet (A4 size) in the same format)

Sl. No.	Export Licence No. & Date and Issuing Regional Authority	Details of items exported		Qty exported	Country to which exported	DGFT's (HQ's) File Number
		Category	Description			

4. Shipment Details:

i. Port of Loading/Shipment	
ii. Port of Discharge	
iii. Country to which item to be exported	
iv. Ultimate Destination Country	

5. Purpose of Export (please tick and give clarification if any):

i. Trade	
ii. Sample	
iii. Display/Exhibition	

6A. Foreign Buyer Details:

i. Name															
ii. Address	Flat/Plot /Block No.														
	Street/Area/Locality														
	City														
	Country					Postal Code									
iii. Telephone No.	(1)	Country Code	Area Code				Tel.No.								
	(2)														
iv. Fax No.	Country Code		Area Code				Fax No.								
v. Export Order No. and date															

6B. Consignee Details: (If same as Foreign Buyer write "SAME As in 6A")

i. Name															
ii. Address	Flat/Plot/Block No.														
	Street/Area/Locality														
	City														
	Country					Postal Code									
iii. Telephone No.	(1)	Country Code	Area Code				Tel.No.								
	(2)														

iv. Fax No.	Country Code			Area Code				Fax No.						

6C. End User Details: (If same as Foreign Buyer and/or Consignee write "SAME As in 6A and/or 6B" as the case may be)

i. Name															
ii. Address	Flat/Plot /Block No.														
	Street/Area/Locality														
	City														
	Country							Postal Code							
iii. Telephone No.	(1)	Country Code	Area Code				Tel.No.								
(2)															
	iv. Fax No.		Country Code			Area Code				Fax No.					
v. End product for which the item of export will be used by the end user															
vi. Purpose for which the end product will be utilized															
vii. Is end user an entity of Government of destination country?															
viii. Manufacturing/Business/other activity of the end user															

7. Details of Banks through which financial transactions relating to this export will be executed:

a. In Destination Country

i. Name of the Bank																								
ii. Address of the Bank	Flat/Plot /Block No.																							
	Street/Area/Locality																							
	City																							
	Country																							
iii. SWIFT Code:																								
iv. I BAN																								

b. In India

i. Name of the Bank																								
ii. Address of the Bank	Flat/Plot /Block No.																							
	Street/Area/Locality																							
	City																							
	State																							
iii. IFSC Code																								

8. If applied for export on repeat basis in the same licensing year for same product , same end use and to the same end user, please furnish:

i. Reference Number and date vide which earlier	
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permission was granted	
ii. Export Licence number and date	
iii. Quantity allowed for export	
iv. Quantity exported on the date of this application	

9. Details of Producer/Manufacturer of the item to be exported:									
i. Name									
ii. Address	Flat/Plot /Block No.								
	Street/Area/Locality								
	City								
	State		PIN Code						

10. Period during which the item is proposed to be exported from India	
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For Use in DGFT office only (To be filled by the applicant).	
11A. Application Submission Details (if submitted electronically):	
i. ECOM Reference Number	
ii. Date of Submission on Server	
iii. Submitted to which Regional Authority	
iv. File Number & Date of Issue	
11B. Jurisdictional Regional Authority:	

DECLARATION/UNDERTAKING

1. I / We hereby certify that:
 - (i) the firm / company has not been penalized under Customs Act, Excise Act, FT (D & R) Act 1992 as amended in 2010 and FERA / FEMA.
 - (ii) 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 and are not associated as Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / company which is in the caution list of RBI.
 - (iii) 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.
 - (iv) we have complied with the conditions of all previous licences / authorisations issued to us for export of SCOMET items and wherever required have duly intimated the o/o DGFT, New Delhi along with documentary evidence regarding receipt of the items of export by the end-user within the stipulated time.

2. I / We undertake to abide by the provisions of the FT (D & R) Act, 1992, as amended in 2010, the Rules and Orders framed thereunder, FTP, HBP v 1 and HBP v2 and ITC (HS) and submit all requisite documents to the o/o DGFT (Export-SCOMET Division), failing which I/We shall be liable to action under FT (D & R) Act, 1992 as amended in 2010 or rules and orders made there under, and the Customs Act, 1962.

3. 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.

4. 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	Flat/Plot/Block No.
	Street/Area/Locality

	City												
	State					PIN Code							
Telephone	Country Code	Area Code			Tel.No.								
Place:													
Date:													

GUIDELINES FOR APPLICANTS
(Please also see paragraph 2.49 of HBP v1)

1. IEC must not be in DEL.
2. One original application in the prescribed format ANF 2E and ANF 1 and six copies thereof along with self-certified copies of the documents as in Para 3 below must be submitted to DGFT (HQ), Udyog Bhavan, New Delhi. Each page of the original application has to be signed by the applicant with stamp of the company.
3. Application must be accompanied by self-certified copies of the following documents:
 - (i) **Purchase Order** from the Foreign Buyer, Consignee and End -User in respect of items mentioned in Col.2 of ANF2E
 - (ii) **End User Certificate(s)** (Also see Para 4 below).
 - (iii) **Technical Specifications** (not exceeding one page for each item) for the items to be exported.
 - (iv) (a) **Bills of Entry(BEs)** into the destination country for items exported during the last one year as per information in column No. 3 of the application. In Col. 3 details of exports are to be given for last 3 years. However, BEs for the last 1 year only are to be submitted.
(b) BEs as above are to be submitted with the 1st application of the financial year only. From the 2nd application onwards, the exporter shall make a reference in the forwarding letter that the BEs have been submitted with the 1st application giving DGFT's File No. of 1st application.

Copy of the forwarding letter of 1st application to be attached with every subsequent application.

- (v) If a third party or contractor is involved, details of Contract or Agreement between the Foreign Buyer and End User with third party must be submitted, along with copy of contract or agreement.

4. **End User Certificate** :- Original End User certificate (in the prescribed format Appendix 36 on Letter Head of the End User) indicating complete details of the export product, end product, end purpose for which the item of export will be used by end user and complete address and telephone No. of end user must be furnished along with original application. End User Certificate from the following must also be submitted:

- (i) By the Foreign Buyer if it different than the End User.
- (ii) By the Consignee, if it is different than the Foreign Buyer & End User.
- (iii) By any other intermediary, if there is any.
- (iv) End User Certificates from Foreign Buyer, Consignee and End User must reflect the logical flow of items.
- (v) Each EUC must mention all the items given in the Purchase Orders and in the list in Col. 2 in ANF2E.
- (vi) EUCs submitted in parts and pieces will not be accepted. 1(one) original End Use-cum-End User Certificate only from each of the customers i.e., Foreign Buyer, Consignee and End User is to be filed.

5. Details given in ANF2E, End User Certificates and Purchase Orders must match completely.

6. While filling ANF2E, care should be taken to ensure the following:-

- (i) Category of the items proposed to be exported as per Appendix 3 of ITC (HS) Classifications of Export and Import Items should be clearly mentioned.
- (ii) Port of discharge and route must be clearly defined. Route/mode of transport cannot be changed after export licence has been issued.
- (iii) Against column 6A, 6B & 6C, complete address should be given. P.O. Box No. will not be accepted.
- (iv) All columns must be filled correctly and completely.