

**OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT),
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,
TAL.- URAN, DIST. RAIGAD - 400 701.**

F. No. S/12-Gen-74/09-10 AM (X)

Dated: 28th August, 2009

PUBLIC NOTICE NO. 58 /2009

It has been observed that some unscrupulous / fly-by-night merchant exporters are exporting / attempting to export various goods using the IEC No. of other persons, who, on verification, have been found in many cases to be fictitious in the sense that they do not exist at the given address or do not have any knowledge about the consignment under export and in fact they are dummies. Such exports are effected / attempted to be effected with an intention to avail ineligible benefit under various export promotion / duty exemption / remission schemes. The said unscrupulous / fly-by-night exporters set a chain of customs offences, besides hawala and money laundering.

2. As a preventive measure, it has been decided to look into the aspect of the genuineness of the merchant exporters, who are exporting various goods for the FIRST TIME through JNCH. This will be done from the scrutiny of following documents, at least three of which will have to be submitted by the exporter or his Clearing Agent (CHA) to the concerned Assessing Officer. The documents may include:

- (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.

3. 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 2(i) to (vi) above are filed, export will be allowed as per normal procedure.

4. This practice / requirement shall come into force with effect from 10.09.2009.

(B.K. SINHA)

COMMISSIONER OF CUSTOMS (EXPORTS)

JNCH, NHAVA SHEVA

To,

All the Concerned Officers

Copy to:

All the Trade Associations.

Copy for information to:

1. The Chief Commissioner of Customs, Mumbai-II Zone, JNCH
2. The Commissioner of Customs (Import), JNCH