



**OFFICE OF THE COMMISSIONER OF CUSTOMS
INLAND CONTAINER DEPOT, TUGHLAKABAD, NEW DELHI 110020**

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C. No.VIII (ICD) 6/Exp/Self Sealing/161/2012 ²¹⁵⁰¹⁻²⁴ Dated: 02.07.2012

PUBLIC NOTICE No. 19/2012 ⁵⁻⁷⁻¹²

Sub: Procedure to be followed for availing the facility of Self-Sealing of containers by the manufacturer-exporters / merchant-exporters - reg.

Attention of the Exporters, CHAs and the Members of Trade is hereby invited to Notification No. 38/98-CE (NT) dated 02.09.1998, CBEC Circular No. 426/59/98-CX dated 12.10.1998, Circular No. 445/11/99-CX dated 17.03.1999 and CBEC Circular No. 736/52/2003-CX dated 11.08.2003. Under the aforesaid instructions, the facility of self-certification and self-sealing of export goods was granted to specified categories of Manufacturer-Exporters based on certain criteria and subject to fulfilment of procedure prescribed in this behalf. Later the facility of self-sealing and self-certification was extended to all categories of Manufacturers-Exporters subject to compliance with the existing procedure as referred to above. The facility of self-sealing has also been extended to the Merchant-Exporters vide Para 3(a)(i) of Ministry's Notification No. 19/2004-CE (NT) dated 06.09.2004 in certain cases where Merchant-Exporters procure and export the goods directly from the factory or warehouse.

Attention is also invited to CBEC Circular No. 860/18/2007-CX dated 22.11.2007, it has been decided that in case of exports under Free Shipping Bill i.e. Shipping Bills where no export benefits are being sought, the Manufacturer-Exporters shall mandatorily resort to self-sealing of containers. It was also clarified that the Central Excise Officers shall not attend to the request of stuffing and sealing of export containers in their presence, in case the exports are under Free Shipping Bills.

2. The facility of self-sealing and self-certification is available to all categories of manufacturer-exporters vide CBEC Circular No. 736/52/2003-CX dated 11.08.2003. Any manufacturer-exporter who opts for the facility of self sealing/self certification will have to fulfil the two conditions; one relating to intimation to the Department and the other for specifying the category of persons who will certify that goods were sealed in his presence.

- (i) The exporter shall give an intimation (mentioning description of the export goods, tentative quantity, value and duty involved and specific date and time of sealing/ stuffing and clearance) to the Superintendent of the Central Excise Range with a copy to Assistant Commissioner of Central Excise having jurisdiction over the factory of manufacturer/ production, at least 24 hours in advance from the time scheduled for sealing of the packages or stuffing and sealing of a container. In case where there are frequent clearances for export and the exporter can furnish detailed export-plan in advance (mentioning description of the export goods, tentative quantity, value and duty involved and specific date and time of sealing/ stuffing and clearance) the Assistant Commissioner may permit a shorter period for furnishing of intimation. Where such export-plan contains specific details, the same be accepted as due intimation.
- (ii) The category of persons who will certify the self sealing / self certification are; the Owner, the Working Partner, the Managing Director or the Company Secretary of the manufacturing unit / warehouse or a person duly authorized by such Owner, Working Partner or the Board of Directors of such Company, as the case may be.
3. The exporter/authorized person shall endorse the ARE-1 / ARE-2/ ARE-4, as the case may be, as per the following format:

"Certified that the description and value of the goods covered by this invoice/ ARE-1/ARE-2/ARE-4 have been checked by me and the goods have been packed and sealed one time bottle seal having number _____, under my supervision".

Date:-

*Signature and Stamp
(Name & Designation of the signing person)*

4. Self-sealing facility is also available to Merchant-Exporters who procure and export the goods directly from the factory or warehouse registered with the Central Excise. In such cases, the manufacturer of the export goods or owner of the warehouse shall take the responsibility of sealing and certification. The merchant-exporters other than those procuring the goods directly from the factory or warehouse shall export the goods sealed at the place of dispatch by a Central Excise Officer;
5. The export goods which are self-sealed by the Manufacturer-Exporter /Merchant-Exporter himself shall be subjected to examination norms at the port of export as prescribed by CBEC from time to time. It may, however, be noted that the procedure for examination and sealing of the goods at the place of the despatch by Central Excise officers is purely optional and the option shall remain only with the manufacturer- exporter except in case of Free shipping bills where it is obligatory on the part of the manufacturer exporter to do the self sealing/self certification.
6. For sealing of containers, it will be obligatory on the part of exporters to use tamper-proof '**One Time bottle Seals**' containing the lock / seal number. This lock/

seal number shall be mentioned by the exporter or his authorized signatory on the ARE-1 / ARE-2/ ARE-4, as the case may be, at the time of certifying the sealing.

7. Any export under self-sealing/self-certification is required to be registered in the Indian Customs EDI so that it recognises such exports as being self-sealed/self-certified for the purpose of extending necessary facilitation at the time of Customs clearance in the Inland Container Depot, Tughlakabad. In order to avail this facility of registration in the EDI System, at ICD, Tughlakabad; the following procedure is hereby prescribed.
 - (i) Exporter shall intimate the Assistant/Deputy Commissioner (Export) of this office about their intention to avail the facility of self-sealing/certification in respect of export of goods along-with necessary information as per format enclosed as Annexure-'A';
 - (ii) Submit therewith a list of persons, along-with their specimen signatures (maximum three), who are authorized on behalf of the exporter to supervise and undertake the self-sealing and self-certification as per format enclosed as Annexure-'B';
 - (iii) Submit copies of their identity proof (with photograph) and proof of address of each individual authorized signatory attested by the exporter along-with a certificate of signature verification from any of the Scheduled Commercial Banks. (Copies of Bank Passbook/ PAN Card/Voter's ID Card/Driving License/Ration Card/Adhaar Card would serve the purpose of proof of identity & address);
 - (iv) Submit an attested copy of Import Export Code (IEC) issued by the DGFT;
 - (v) Submit copies of ownership documents of the premises/factory or rental/lease agreement where stuffing of the export goods into container(s) is to be done.
8. The intimation, along-with its enclosures, will be received in the office of Assistant / Deputy Commissioner (Export Processing) and a duly acknowledged copy shall be returned to the exporter.
9. The intimation shall be scrutinized by the Assistant / Deputy Commissioner (Export Processing) and the same shall be registered in the EDI (System) within 15 days of its receipt; if the intimation is in order; otherwise, the objection / deficiency shall be communicated in writing within 10 days of receipt.
10. After registration, a copy of the intimation given by the exporter along with its annexure shall be sent to AC / DC (Export Shed) alongwith the date of registration in the system and period of validity of registration.
11. Once the intimation is registered in the EDI system, the same shall be communicated to the exporter within 3 days of registration.
12. The registration of the self sealing/certification in the EDI system shall be done for a period of 1 year in case of a merchant exporter for the first time and if nothing

adverse is noticed, it shall be extended for 5 years in the subsequent year provided the merchant exporter has made at least 6 shipments availing the facility of Self sealing during the preceding 1 year. The registration of the self sealing / certification in the EDI system shall be done for a period of 5 year in case of a manufacturer exporter.

13. Each self-sealed/self-certified containers being brought to ICD, Tughlakabad by the exporter should be accompanied by the following documents; the Check List of the Shipping Bill, Packing List, Export Invoice, Annexure-'C' duly filled by the authorized signatory, ARE-1 / ARE-2/ ARE-4, as the case may be. In case, it is found that the self-sealed /self-certified containers are not sealed by one time bottle seal or if the seal is found to be broken, the AC/DC (Export Shed) shall get the goods examined as if these were not covered under the self-sealed/self-certified permission.
14. The Authorised Signatory of the exporter shall make an endorsement on the back of the packing list and the invoice, which will be attached to the Check-list of the Shipping Bill, as follows:

"I have examined the goods and the same are found to be as per the declaration. The goods are stuffed in the container and the container was sealed with one time bottle seal under my supervision. The seal number is _____ and the colour of the seal is _____. I undertake full responsibility for any discrepancy arising like difference in description, quality or quantity of the goods under export."
15. Any deviation from the procedure laid out in this Public Notice or any violation under Customs Act, 1962 and rules and regulations made there under or any other law for the time being in force, will be viewed seriously which may result in withdrawal of the self-sealing /self-certification facility accorded to the exporter and/or initiation of any other proceedings under the Customs Act, 1962 and rules and regulations made there under or any other laws for the time being in force.

M. Arora
(M.S. ARORA) 4.7.2012
COMMISSIONER OF CUSTOMS

Encl: Annexure-A, B & C

Annexure-'A' to Public Notice No. 19/2012 dated 02.07.2012

To

The Deputy Commissioner (Export),
ICD, Tughlakabad,
New Delhi

With reference to Public Notice No. __/2012 dated __.05.2012, I/we hereby intimate that we propose to avail the facility of self-sealing/certification procedure for our exports of goods under Shipping Bills. Our details are as below:

1. Name of the Exporter :
2. Address, Phone No., Fax No. & E-mail
Of the Exporter :
3. Name, Designation & Telephone No. of the
Authorized signatory who can be contacted for
the verification if any. :
4. IEC Code
(Please attach a self attested copy) :
5. PAN Number of the Exporter
(Please attach a self attested copy) :
6. Sales Tax / VAT Regn. No.
(Please attach a self attested copy) :
7. Central Excise Registration details of the
Exporter if registered :
8. Name address & the PAN number of
The owners / directors / MD :

Signature with Name and Designation

Annexure 'B' to Public Notice No. 19/2012 dated 02.07.2012
[In duplicate]

- I. Name and address of the Exporter:
- II. I.E. Code:
- III. Details of Authorised Signatories:

S N	Name (with position held) , residential address & telephone number of the Authorized Signatory	Passport size Photograph attested by the exporter	Specimen Signature (1)	Specime n Signatur e (2)
1				
2				
3				

Authorised Signatory:

Signature with Name and Designation

1. He/She should be a permanent employee for the concern
2. He/She should provide complete Bio-Data including full family particulars, all Bank Account No., PAN No., residential address and proof of identity in a separate sheet.
3. The authorized signatory should be the owner, the working partner/s, the Managing Director, or the Company Secretary of the export concern or a person duly authorized by such owner, the working partner, or the Board of Directors, as the case may be.

An undertaking has to be submitted by the person authorising the signatory that in case any deviation is detected/offence booked and in case the authorized signatory is missing/absconding, then the Exporter/person authorising the signatory is responsible for the same.

Shipping Bill No with Date

Examination Report for Self-sealed/certified Container

1. Name of Exporter :
2. (a) IEC No. :
(b) Branch Code :
(c) BIN (PAN based Business) Identification Number of the Exporter :
3. Factory / Place of stuffing (Full Address) :
4. Date of examination/stuffing :
5. Time of stuffing :
Starting time :
Completion time :
6. Description of cargo with quantity :
7. Country of final destination :
8. Name & Designation of the Authorised signatory :
9. Particulars of Export Invoice :
(a) Export Invoice No. :
(b) Total No. of packages :
(c) Name & address of the consignee abroad :
10. Is the description of the goods, the quantity and their value as per particulars furnished in the Export Invoice

11. Container particulars:

Container No.	Size	Seal No. (OTL)	No. of packages stuffed in container
(1)	(2)	(3)	(4)

12. Starting time (moving the Container to ICD, Tughlakabad)

SIGNATURE OF THE AUTHORISED SIGNATORY
OF THE EXPORTER

Name
Designation
Stamp