

**THE COTTON TEXTILES EXPORT PROMOTION COUNCIL, MUMBAI**

**EPS/EXPORT PERFORMANCE CIRCULAR NO : 101/2011 Dated : 01.04.2011**

**TO : ALL MEMBERS OF THE COUNCIL**

**Sub: Procedure for submitting application for issuance of Export Performance Certificate (only against exports of Cotton textile Made-ups) for the purpose of importing (a) Zipper, Fastner and slider, (b) Lace (c) Velcro tape, (d) Elastic tape, curtain tape and edgband tape (e) Curtain hook (f) Button and eyelet (g) Tassel (h) Bead and sequin (i) Insert (j) Sample fabric of total length upto 500 metres (during one financial year), under Customs Notification No. 174/2003 dated 4.12.2003.**

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Applications are invited from eligible **Manufacturer-exporters of Cotton Made Ups**, for issuance of Export Performance Certificate (EPC) by the Cotton Textiles Export Promotion Council (TEXPROCIL) for the purpose of importing eligible item/s (as specified in Customs Notification No. 174 /2003 dated 4-12-2003) for use in the manufacture and export of Cotton Textile Made-ups, by them.

2. Applications will be received by TEXPROCIL only from the Manufacturer –exporters of Cotton Textile Made-ups who are registered with The Cotton Textiles Export Promotion Council. The applications may be addressed to:-

**Shri D.S. Narayana,**  
**Joint Director,**  
The Cotton Textiles Export Promotion Council,  
Engineering Centre, 5<sup>th</sup> Floor, 9 Mathew Road,  
Mumbai – 400 004. .

3. Application for issuance of Export Performance Certificate ( format given at Annexure-I) should contain the details of exports of **only Cotton Made Ups exported and proceeds realized (FOB value) in Indian Rupees during the (preceding) Financial Year 2010-11** (i.e. from 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011).
4. Details of shipment/s of free samples should not be included in the Statement of Exports as they are not considered as exports for this purpose. Exporters should therefore furnish the details of physical / actual exports and proceeds realized.
5. Applicant Manufacturer-exporters of Cotton Made ups are required to give correct and complete information strictly in the prescribed formats duly supported by Certification from Chartered Accountant and self-certified copies of Bank Certificate of Exports and Realisation (Appendix–22A, Form No.1) towards realisation of export proceeds equivalent to the amount of export performance claimed.

6. A certificate on the Letter Head of the Exporter to the effect that the export performance claimed and all the Shipping Bills referred in the statement of exports pertain to Cotton Made ups only should also be submitted.
7. The Council reserves the right to call for any other documents/information that may be relevant and required for this purpose.
8. Applications should be accompanied by a Cheque or Pay Order / Demand Draft ( in the case of outstation exporters) drawn in favour of 'The Cotton Textiles Export Promotion Council', payable at Mumbai, for an amount at the rates given below (which include Service Tax @10.3%) towards Application fees/Service charges (which are non refundable)
  - a) Export performance upto Rs. 1 crore ----- Rs. 2,758/-
  - b) Export Performance between Rs. 1 crore to Rs. 10 crore) Rs. 5,515/-
  - c) Export Performance Rs. 10 crore and above ----- Rs. 11,030/-
9. The Council will verify the details received from exporters and issue the Export Performance Certificate.
10. For import of the permissible item/s, exporter should apply to the Council (Head Office at Mumbai) in the prescribed format (given at Annexure-II) on the Letter Head of the Exporter) and submit the original Export Performance Certificate well in advance. The Council after verifying the details will issue the Import Certificate which should be submitted to the Customs authorities at the time of clearance of import consignment.
11. For every import clearance, the exporter shall obtain an Import Certificate from the Council by submitting a separate application each time in the format (given at Annexure-II). The details of imports against the Import Certificates will be debited to the Export Performance Certificate (original) based on the Bill of Entry submitted by the exporter alongwith the application for Import Certificate.
12. As an export promotion measure and to accommodate eligible exporters for smooth operation of the scheme for importing of permissible embellishments under above Notification, it has been decided to issue Import Certificate/s as per the actual requirement of the exporters. The scheme would be operative as follows:
  - (a) Exporter can apply for issuance of Import Certificate on the basis of provisional Bill of Entry also. For each Import Certificate, a separate application should be submitted to Head Office of TEXPROCIL.
  - (b) Exporter may obtain any number of Import Certificates which will be debited to Export Performance Certificate, as per existing procedure.
  - (c) Exporter shall submit a copy of final Bill of Entry issued by Customs within 30 (Thirty) days from the clearance of the goods from the Customs to Head Office of TEXPROCIL.

- (d) No add back would however be permitted in Export Performance Certificate for the Import Certificate/s once issued for those Bills of Entry which were provisionally prepared and submitted to TEXPROCIL for obtaining Import Certificate/s.
  - (e) The provisional Bill of Entry (from Private Bonded Warehouses/ Customs) should be self- certified by exporter.
13. Joint Secretary (Drawback) vide Letter No. 609/218/98-DBK dated 04/05/2000 has clarified that duty free clearance of embellishments from Private Bonded Warehouse is permitted. Exporters, therefore, while seeking imports from the Private Bonded Warehouse should carefully fill Serial No. 9 of application for issuance of Import Certificate (Annexure-II), at the time of applying for Import Certificate.
14. The last date for receipt of the applications for issuance of Export Performance Certificate (EPC) for the Financial Year 2010-2011 is 31-10-2011.
15. Applications received after the last date (i.e.31-10-2011) will however be accepted along with late fees of Rs. 1,000/- per application in addition to the normal fees/ charges, as prescribed at Sl. No. 8 above.
16. Export Performance Certificate issued for the year 2010-11 if unutilized may be surrendered to the Council after 1.4.2012, for cancellation .

**(SIDDHARTHA RAJAGOPAL)**  
**EXECUTIVE DIRECTOR**

**ANNEXURE – I**

**(To be submitted on Letter Head of Manufacturer - exporter of Cotton Made ups)**

**FORMAT OF APPLICATION TO BE SUBMITTED TO THE COTTON TEXTILES EXPORT PROMOTION COUNCIL (TEXPROCIL) FOR ISSUANCE OF EXPORT PERFORMANCE CERTIFICATE (EPC) FOR THE YEAR 2010-2011**

To,

**Shri D.S.Narayana,  
Jt. Director**

The Cotton Textiles Export Promotion Council  
Engineering Centre, 5<sup>th</sup> Floor,  
9 Mathew Road,  
Mumbai – 400 004.

Sub : Submission of application for issuance of Export Performance Certificate (EPC) for the purpose of importing (a) Zipper, Fastner and slider, (b) Lace (c) Velcro tape, (d) Elastic tape, curtain tape and edgeband tape (e) Curtain hook (f) Button and eyelet (g) Tassel (h) Bead and sequin (i) Insert (j) Sample fabric (of total length upto 500 metres) under Customs Notification No. 174/2003 dated 4.12.2003.

Dear Sirs,

**DECLARATION**

With reference to your EPS/Export Performance Circular No. 101/2011 dated: 01.04.2011 we wish to state that we have exported Cotton Textile Made ups and realised the export (sale) proceeds amounting to Rs. .... as per the Bank Certificate of Exports and Realisation. A statement of exports, showing the Invoice No. and date, S/Bill No. and date, date of export, date of realization of Export proceeds , FOB amount realized (in Indian Rs. ) etc. and the supporting self attested copies of Bank Certificate of Exports and Realization from 1<sup>st</sup> April, 2010 to 31<sup>st</sup> March, 2011 are submitted herewith for your consideration.

2. We are enclosing herewith a Cheque/Pay Order/Demand Draft No ..... Dated ..... for Rs. .... favouring “The Cotton Textiles Export Promotion Council” towards the application fees/service charges (non-refundable).
3. We hereby confirm and declare that the statement made above is true and correct to the best of our knowledge. We understand and agree that in the event of the above statement being found to be incorrect or false, our Export Performance Certificate will be cancelled and we shall be liable for any penal action that may be taken by The Cotton Textiles Export Promotion Council (TEXPROCIL) , or by the Government of India under the relevant Rules

4. We also hereby declare that “the imported embellishments / goods shall not be put to any other use or sold in the market except for use in the manufacture and export of Cotton Textile Made-ups by us”

5. Name of Exporter .....

6. RCMC No ( issued by TEXPROCIL) .....

7. IE Code No. (issued by DGFT authorities) .....

Signature .....

Name of the Authorised Signatory .....

Date: .....

Place:.....

**VERIFICATION**

**(By Chartered Accountant)**

We have verified the statement made by M/s. \_\_\_\_\_ and certify that the total FOB value of exports of Cotton Textile Made-ups based on the Bank Certificate of Exports and Realization (Appendix-22A, Form No.1) of exporter during the year 2010-2011 (i.e. from 1.4.2010 to 31.3.2011) was amounted to Rs.....(Rupees.....)

Name & Address of the  
Chartered Accountant's Firm/Co. ....

Signature of the Chartered  
Accountant .....

Seal/Stamp .....

Membership Number of the  
of Chartered Accountant.....

Date .....

Place .....

**Enclosures:**

- 1) Statement of Exports (date wise) showing, Invoice No & date, S/Bill No. & date , date of export, date of Realization of export proceeds, FOB realization in Indian Rs. etc.
- 2) Cheque/ Pay Order/Demand Draft in favour of "The Cotton Textiles Export Promotion Council"
- 3) Self attested copy of valid/latest RCMC issued by TEXPROCIL.
- 4) Self attested copies of Bank Certificate of Export and Realization.

**ANNEXURE-II**

**( To be submitted on Letter Head of Exporter)**

**Application for issuance of Import Certificate**

Application for issuance of Certification to import (a) Zipper, Fastner and slider, (b) Lace (c) Velcro tape, (d) Elastic tape ,curtain tape and edgeband tape (e) Curtain hook (f) Button and eyelet (g) Tassel (h) Bead and sequin (i) Insert (j) Sample fabric under Customs Notification No. 174/2003 dated 4.12.2003.

FOR TEXPROCIL USE

CERTIFICATE NO -----

01. Name & Address of Exporter\_\_\_\_\_
02. RCMC No. of Exporter\_\_\_\_\_
03. Importer-Exporter Code No.\_\_\_\_\_
04. Item/s to be imported and HS Codes\_\_\_\_\_
05. Country of Origin\_\_\_\_\_
06. Overseas Supplier's Name & Address\_\_\_\_\_
07. Export Performance Certificate No.\_\_\_\_\_dt \_\_\_\_\_valid upto\_\_\_\_\_
08. In case the application is for issuance of Import Certificate for procurement from Private Bonded Warehouse, the following information is to be furnished:-

- A) Name of the Private Bonded Warehouse: \_\_\_\_\_
- B) Licence No. \_\_\_\_\_ & Date \_\_\_\_\_ issued by Commissioner of Customs with the validity (attached self attested copy)

C) Whether Licence is valid on the date of application    
(Please tick Yes/No) Yes No

D) Whether Private Bonded Warehouse provides storage of material permitted for Cotton Made ups (Please tick Yes/No)    
Yes No

Item	HS Code	Qty.	Value (in Rs)	Bill of Entry Nos. & Date
(a) Zipper, Fastner and slider,	Any chapter			
(b) Lace	Any chapter			
(c) Velcro tape,	Any chapter			
(d) Elastic tape ,curtain tape and edgeband tape	Any chapter			
(e) Curtain hook	Any chapter			
(f) Button and eyelet	Any chapter			
(g) Tassel	Any chapter			
(h) Bead and sequin	Any chapter			
(i) Insert	Any chapter			
(j) Sample fabric (of total length upto 500 metre during the financial year)	Any chapter			
	TOTAL			

**SIGNATURE** .....

**NAME OF THE AUTHORISED  
REPRESENTATIVE** .....

**SEAL OF EXPORTER.**

**Enclosures:**

1. Export Performance Certificate (Original)
2. Copy of Bill of Entry (for import under Customs Notification 174/2003 dated 4.12.2003.)
3. Copy of Invoice from supplier
4. Affidavit ( in the format given at Annexure-III) on Stamp Paper (of Rs. 100/- or more) duly Notarized.

**ANNEXURE-III**

**(On Rs. 100/- Stamp paper duly notarized)  
(FORMAT OF AFFIDAVIT)**

**AFFIDAVIT**

This is with reference to our request dated ..... for issuance of Import Certificate for importing either one or more or all these items viz. (a) Zipper, Fastner and slider, (b) Lace (c) Velcro tape, (d) Elastic tape ,curtain tape and edgeband tape (e) Curtain hook (f) Button and eyelet (g) Tassel (h) Bead and sequin (i) Insert (j) Sample fabric of total length upto 500 metres falling under any Chapter against Export Performance Certificate No. ....dated ..... within the entitlement amount. (which is restricted to 1% of FOB Value of Cotton Textile Made ups exported and proceeds realized during 2010-2011).

We undertake that such material upon import /procurement will be used in the manufacture/export of Cotton Made ups for exports by us and the same will not be put to any other use, transferred to others or sold in the market.

We indemnify The Cotton Textiles Export Promotion Council (TEXPROCIL) against any misuse and take total responsibility for any such misuse.

We understand fully that any violation of the conditions of the Customs Notification No. 174/2003 dated 4-12-2003 (it shall be construed as malpractice) will render us liable to penal and/or any other action under Foreign Trade Policy 2009-2014/Foreign Trade Development and Regulation Act 1992, Criminal Law, and any other Act or Rule as may be applicable and that such action may be resorted to against us without any opportunity or show cause notice to us.

**SIGNATURE** .....

**NAME OF THE AUTHORISED  
REPRESENTATIVE** .....

**SEAL OF THE EXPORTER.**

**Dated** .....

**Place** .....

**Customs Notification No. 174/2003 dated 4<sup>th</sup> December 2003**

In exercise of the powers conferred by sub-section(1) of Section 25 of the Customs Act 1962 (52 of 1962), the Central Government being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 21/2002-Customs dated the 1<sup>st</sup> March 2002, namely:-

(1) In the Table, after Sr.No. 167A and the entries relating thereto, the following S.No. and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
167B	Any Chapter	(a) Zipper, fastener and slider (b) Lace (c) Velcro tape (d) Elastic Tape, curtain tape and edgeband tape (e) Curtain hook (f) Button and eyelet (g) Tassel (h) Bead and sequin (i) Insert (j) Sample fabric of total length upto 500 metres imported during one financial year	Nil	Nil	21B

(2) In the Annexure, after condition No. 21A and the entries relating thereto, the following condition and entries shall be inserted, namely:-

Condition No.	Conditions	
21B	If	
	(a)	The goods are imported by a manufacturer of cotton made ups for use in the manufacture of said goods for export by that manufacturer and the said manufacturer is registered with the Cotton Textile Export Promotion Council
	(b)	The total value of goods imported shall not exceed 1 per cent of the FOB value of made ups exported during the preceding financial year
	(c)	The importer produces a certificate from the Cotton Textile Export Promotion Council certifying the value of exports made during the financial year mentioned in sub-condition (b), and also the value and quantity of goods already imported under this notification during the current financial year.

Sd/-  
(Syed Mahmood Akhtar)  
Under Secretary to the Govt. of India

Issued by:  
Ministry of Finance  
Department of Revenue, New Delhi