

FREQUENTLY ASKED QUESTION's for IEC (F A Q)

Q. What is IEC?

A. IEC Stands for IMPORTER EXPORTER CODE

Legal Provisions

As per section -7 of Foreign Trade (Development and Regulation) Act, 1992

Importer-Exporter Code Number –

“No person shall make any import or export except under an Importer-exporter Code Number granted by the Director General or the officer authorised by the Director General in this behalf, in accordance with the procedure specified in this behalf by the Director General.”

Q. Who requires an IEC?

A. Any bonafide person/ company starting a venture for International trade.

Following categories of importers or exporters are exempted from obtaining IEC number:

(i) Importers covered by clause 3(1) [except sub-clauses(e) and (l)] and exporters covered by clause 3(2) [except sub-clauses (i) and (k)] of Foreign Trade

(Exemption from application of Rules in certain cases) Order, 1993.

(ii) Ministries / Departments of Central or State Government.

(iii) Persons importing or exporting goods for personal use not connected with trade or manufacture or agriculture.

(iv) Persons importing / exporting goods from / to Nepal, Myanmar through IndoMyanmar border areas and China (through Gunji, Namgaya Shipkila and Nathula ports), provided CIF value of a single consignment does not exceed Indian Rs.25, 000. In case of Nathula port, the applicable value ceiling will be Rs.100,000.

However, exemption from obtaining IEC number shall not be applicable for export of Special Chemicals, Organisms, Materials, Equipments and Technologies (SCOMET) as listed in Appendix- 3, Schedule 2 of ITC (HS) except in case of exports by category (ii) above.

(v) Following permanent IEC numbers shall be used by non-commercial PSUs and categories of importers /exporters mentioned against them for import / export purposes:

1. IEC- 010000011- All Ministries / Departments of Central Government and agencies wholly or partially owned by them.
2. IEC- 010000029- All Ministries / Departments of any State Government and agencies wholly or partially owned by them.
3. IEC- 010000037- Diplomatic personnel, Counselor officers in India and officials of UNO and its specialized agencies.

4. IEC- 0100000045- Indians returning from / going abroad and claiming benefit under Baggage Rules.
5. IEC- 0100000053- Persons / Institutions / Hospitals importing or exporting goods for personnel use, not connected with trade or manufacture or agriculture.
6. IEC- 0100000061- Persons importing / exporting goods from / to Nepal
7. IEC- 0100000070- Persons importing / exporting goods from / to Myanmar through Indo-Myanmar border areas
8. IEC- 0100000088- Ford Foundation
9. IEC- 0100000096- Importers importing goods for display or use in fairs / exhibitions or similar events under provisions of ATA carnet. This IEC number can also be used by importers importing for exhibitions/fairs as per Para 2.29 of HBPv1.
10. IEC- 0100000100- Director, National Blood Group Reference Laboratory, Bombay or their authorized offices.
11. IEC- 0100000126- Individuals / Charitable Institution / Registered NGOs importing goods, which have been exempted from Customs duty under Notification issued by Ministry of Finance for bonafide use by victims affected by natural calamity.
12. IEC- 0100000134- Persons importing / exporting permissible goods as notified from time to time, from / to China through Gunji, Namgaya Shipkila and Nathula ports, subject to value ceilings of single consignment as given in Para 2.8(iv) above.
13. IEC- 0100000169- Non-commercial imports and exports by entities who

have been authorized by Reserve Bank of India.

Q. Can Export/Import be made without IEC?

A. No. IEC forms a primary document for recognition by Govt. of India as an Exporter/ Importer

Q. What are the benefits of IEC?

A. On the basis of IEC, companies can obtain various benefits on their exports/ imports from DGFT, Customs, and Export Promotion Council etc.

Q. Where to obtain an IEC?

A. Those having Registered/Head office in whole of Kerala and Lakshadweep except the districts Trivandrum, Kollam & Pathanamthitta, can submit the application at Joint Director General of Foreign Trade, 5/A, Kendriya Bhavan, Kakkannad, Cochin-682037 (Telephone No.2427397).

HOW TO APPLY FOR AN IMPORTER EXPORTER CODE

Q. From where one can get IEC Form?

A. It can be downloaded from download section of DGFT website under the link APPENDICES & AAYAAT NIRYAAT FORM (ANF2A).

Q. Can it be applied online:

A. Yes. Applicant has to apply on DGFT link: website – IEC online help.

Q. What are the documents needed for an IEC application

A. Documents are listed below:

1. Bank Receipt /Demand Draft details evidencing payment of application fee of Rs. 250/-. DD should be in favour of JDGFT, Cochin .
2. Certificate from the Banker of the applicant(on the letter head of the bank) firm in the format given in Appendix 18A (Part B)with full address of bankers including telephone numbers. Name of proprietor/partner/director etc. should be mentioned below the photo and it should be attested by banker. Name ,Designation &Managers employee code also be included in the BC.
3. Self certified copy of Permanent Account Number (PAN) issued by Income Tax Authorities (both sides).
4. Two additional copies of 3x3 size photographs of the applicant. Photograph on the bank certificate should be attested by the banker of the applicant.
5. Other Additional documents-

For companies registered under companies Act-Incorporation Certificate issued by Registrar of Companies& Memorandum of Articles and Association.

For partnership Firms- Certificate of registration issued under section 59 of Indian Partnership Act, 1932 along with consent letters of all partners for issuance of IEC

For Proprietorship Firms- Any of the following documents. Registration certificate under Kerala Value Added Tax Act, 2003 or Registration certificate under The Kerala Shop and Establishment Act, 1960.

Or

Any other document issued by Government Agency related to Proprietorship Firm which proves the existence of proprietorship firm.

For Manufacturer Exporter-Copy of Central Excise Registration Certificate or

IEM/Industrial License/Enterprenurers Memorandum Number (EMN)

6. Self addressed envelope affixed with postage stamps of Rs.30/-.
7. These documents may be kept securely in a file cover.

Q. What are the documents required for modification of IEC

A.

1. Application form ANF-2A to be filled in and all pages of the application to be signed.
2. Proof of change of name/address/branches/constitution of Ltd. Companies etc.(Form 32/Form 18/company master details issued by ROC along with copy of challan) For proprietorship/partnership Firms any address proof issued by government depptt. Copy of ownership title deed or copy of lease deed registered.
3. Fresh Bank certificate certifying the detail of the bank A/c, registered address, and photographs of the applicant in case of change of applicant(whose photo is to be affixed in the IEC).
4. Demand draft/Pay order for Rs. 1000/- for modification of existing IEC in name, constitution, address ,if applied after 90 days. Applicant is also required to furnish documentary proof that they have applied within 90 days.

FEE

Q. What is the fee for fresh IEC Application?

A. Application fee is Rs. 250/- which can be paid through Demand Draft/ Pay Order from any designated bank in favour of **Jt. DGFT, Cochin**. Treasury Receipt from the designated Central Bank of India branches is also accepted.

Q. What is fee for modification in IEC?

A. If informed after 90 days from the date of change/amendment/modification, a penalty of Rs. 1000/- is levied for condonation of delay.(As per Public Notice 37, AM-2010).Applicant is also required to furnish documentary proof to prove that they have applied within 90 days for modification.

Q. What is the fee for issuance of duplicate IEC?

A. Rs.200/- payable in form of D.D/TR **(as per details given above)**.

PAN

Q. Is PAN Number/PAN card essential / What are the alternatives?

A. Yes, PAN is mandatory. Self Certified Photocopy of PAN card has to be submitted along with the application.

Q. Do I have to show PAN Card for verification?

A. No. But where PAN card details are not shown on INCOME TAX website. May be requested to show original PAN card for verification.

Q. Whether more than one IEC can be issued against one PAN?

* Only one IEC would be issued against a single PAN number. Any proprietor can have only one IEC number and in case there are more than one IECs allotted to a proprietor, the same may be surrendered to the Regional Office for cancellation.

** In case of more than one proprietorship firm belonging to one proprietor, they will be indicated as branch offices of the first firm .

TIME TAKEN

Q. How much time does it takes to get an IEC?

A. Normally two working days for processing.

For cancellation of IEC 15 working days

Q. Can IEC be hand delivered/Over the counter?

A. **No**, IEC issued are dispatched by Speed Post to the address mentioned on the self addressed envelope enclosed with the application. Only Deficiency Letters along with Application form/Document will be delivered at the IEC counter to the authorized person/Applicant having the acknowledgement receipt. If Deficiency Letter is not collected within 5 days then it will be sent by post to the applicant.

CUSTOMS

Q. How may days are required to send the data to customs?

A. The data is automatically transmitted electronically on the day of issue of IEC.

Q. Is IEC used by Custom department?

A. yes

Q. Can one check their IEC status at Customs on line?

A. Yes. Click on IEC (BIN) Status to know the status at customs

NRI / FOREIGNERS /NON RESIDENT INTEREST IN FIRM(FOREIGN

INVESTMENT

Q. NRI- How an applicant (NRI) can apply?

A. NRI has to follow the normal application procedure. In addition permission from RBI/ FIPB is needed in some cases.

Q. Procedure for a foreign national for obtaining IEC (documents needed)?

A. Board Resolution, Memorandum of Association, copy of Passport. And all documents prescribed above for Indian Citizen/ company/ Proprietorship Firm.

Q. Do Foreigners require residence in India?

A. Not necessary.

Q.What is RBI's Automatic approval/Specific permission when there is Non Resident Interest (Foreign Investment) in the firm, for obtaining IEC?

A. Notification No. 20/2000/RBI dated. 3rd May, 2000. Applicants are also required to furnish

- (i) Copy of Money invested report filed before Regional Office of RBI).
- (ii) (Copy of Report filed in Form FC-GPR,Part A for issuance of shares to Regional Office of the Reserve Bank of India.

(iii) If specific permission has been granted by RBI regarding Non Resident Interest, then copy of that permission to be furnished with Application form ANF-2A.

DUPLICATE IEC

Q. What are the documents required for issue of Duplicate IEC?

A. Duly filled application form along with application fee of Rs.200/ an affidavit on stamp paper of Rs.100/- duly notarized. (Format of affidavit/indemnity Bond can be downloaded from Jt.DGFT,Cochin website (jdgftcochin.gov.in)).

Q. Can we apply online for issue of duplicate IEC?

A. No.

Q. In case the IEC is returned undelivered, what are the documents required for proving the genuineness of the firm?

A. Information to Post Office, Proof of Address-Copy of ownership Title, Registered copy of Lease Deed, copy of Telephone Bill, Electricity Bill, Registered copy of Rent deed etc. are required to confirm about the genuineness of the address. Applicant may also be asked to attend interview before the IEC issuing officer if necessary.

Q. Why PAN Card's (both side) is required?

A. To identify issuing authority's address.

Q. Address of DGFT's web site to check the status of IEC at Customs?

A. <http://dgft.gov.in/>

Q. Does one need authority letter at the time of submission of application?

A. No.

Q: Can a Public Limited Co./Private Limited Co./Partnership obtain different IECs for different concerns owned by it?

A. No. However the name of each concern owned by such a company may be included in the IEC of the firm in whose name PAN exists, as a branch.

Q: Whether IEC has to be revalidated after a period of time?

A. No, IEC need not be revalidated if the PAN is incorporated in it, but the same needs to be updated for changes in name/ address/constitution.

Q: What is to be done after obtaining the amended/online/new IEC?

A. The Exporter/Importer should check the "BUSINESS IDENTIFICATION NUMBER" on IEC STATUS AT CUSTOMS (BIN) for new IEC holders/IECs updated with PAN and on VIEW YOUR IEC in case of modified IECs. The above status should also be confirmed from the EDI system of the concerned Customs authority before effecting any Import or Export.

Q: Is the requirement of IEC item based?

A. No, IEC is a permanent document issued to the Importer/Exporter only once and the same is not item based. The exporter/importer can venture into any item of Import/Export based on the IEC issued.

Q: What should an exporter do if he does not wish to operate or wish to cancel the allotted IEC Number?

A. He may surrender the original IEC by fulfilling all pending Liabilities (Export obligation fulfillment of all incentive Authorizations) and filing a declaration to IEC issuing DGFT office that there is no obligation/Liability pending against him for any

office of DGFT. On receipt of such intimation; this office shall cancel the IEC if satisfied that there is no Liability pending against the IEC holder and electronically transmit it to DGFT for onward transmission to Customs and Regional Licensing Authorities. Normal Time required for processing cancellation of IEC is 15 working days.