

**OFFICE OF THE COMMISSIONER OF CUSTOMS (NHAVA SHEVA-III)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA, URAN, RAIGAD,
MAHARASHTRA – 400 707**

F.No. S/22-Gen-06/2018-19 AEO CELL

Date: 20.08.2018

PUBLIC Notice No. 124/2018

Subject: Simplification and rationalization of AEO-T1 Application - reg.

Attention of Importers, Exporters, General Trade, Port Terminal Operator, Shipping lines / Shipping Agents, CFSs coming under the jurisdiction of Jawaharlal Nehru Customs House (JNCH), Nhava Sheva and all other stakeholders is invited to the Board Circular No. 26/2018, dated 10th August 2018, which modifies provisions regarding requirement and processing of AEO T1 application of CBIC Circular No. 33/2016-Customs, Dated 22.07.2016 as amended by Circular No. 03/2018 Dated 17.01.2018 (available at: <http://www.cbic.gov.in/Customs-Circulars-Instructions>) and Public Notice No. 16 & 17, both dated 25.01.2018 and No 47, dated 23.03.2018 issued by JNCH.

2. Multiple suggestions were received by CBIC from various field formations on Indian AEO Programme governed by the Board circulars 33/2016-Customs, Dated 22.07.2016 as amended by Circular No. 03/2018 Dated 17.01.2018. It has been emphasised that the compliance requirements for AEO T1 are not commensurate with the benefits allowed to AEO T1 entities. The suggestions also highlighted the fact that this has made it difficult to attract entities into the AEO fold. Consequently, a review of the aforementioned circular was done and it was felt that the processing of AEO T1 application requires simplification and rationalization.

3. Accordingly, CBIC vide Board Circular No. 26/2018, dated 10th August 2018 prescribed that the present Annexure for AEO T1 application i.e. Annexure A, C, D, E1, E2, E3 & E4 shall be replaced with the Annexure 1 and Annexure 2 (enclosed) only. The processing by way of new annexure, (i.e. annexure 1 & 2) alongwith DECLARATION in prescribed format (Copy Enclosed) will come in effect immediately. All the new applications for AEO T1 are to be mandatorily filed in form of the new annexure - Annexure 1, Annexure 2 & DECLARATION.

4. In order to implement the simplified processing and to ensure its desired effectiveness, it is decided by the competent authority that the process of accreditation of AEO-T1 shall be decentralized to the Zonal level. In this decentralized scheme of work, the AEO-T1 application will be filed with the Zonal AEO Cell (as was being done by virtue of Circular 3/2018- Cus Dated 17.01.2018). The said application will be processed by the Zonal AEO cell and the final acceptance or rejection will be decided by Zonal AEO Programme Manager [**Commissioner of Customs Nhava Sheva-III for Mumbai customs Zone-II**]. The Zonal AEO cells will only intimate the decision of Zonal AEO Programme Manager to Directorate of International Customs for generation of certificate with relevant information of the applicant namely - Name, IEC Number & PAN, Copy of Annexure-‘A’ and statistics management.

5. However, for applications that have already been received by the Customs Zones prior to the issuance of this Public Notice, the Zonal AEO Programme Manager will have the discretion to allow processing of the application either by way of earlier annexure (Annexure A, C, D, E1, E2, E3 & E4) or by way of new annexure (annexure 1 & 2) and Declaration in prescribed format on case to case basis. Accordingly, it has been decided that all applicants, who have already submitted their AEO-T1 application shall have the option to either submit revised new annexure, (i.e. Annexure 1 & 2) or to comply with the requirements specified in the deficiency memo, if any deficiency memo has been issued to them.

6. The digitalization of processing of AEO T1 application is already underway. The online processing of AEO T1 application will commence as soon as the necessary digital infrastructure is in place. In the meantime, the processing of new AEO T1 Application in form of the new annexures (Annexure 1 & 2) will come in effect immediately.

7. The Board Circular No. 33/2016-Customs dated 22.07.2016 as amended by Circular No. 03/2018 Dated 17.01.2018 stands modified to above extent vide Board Circular No. 26/2018, dated 10th August 2018.

8. In case of any difficulty, the specific issue may be brought to the notice of Nodal Officer of AEO Cell or Deputy/Assistant Commissioner in charge of AEO Cell, NS-III (email address: aeocell.jnch@gov.in).

-Sd-

(SUBHASH AGRAWAL)
Commissioner of Customs (NS-III).

Encl:

1. Annexure A1,
2. Annexure A2,
3. Declaration format.

Copy To:

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH for information.
2. The Commissioner of Customs, NS-G/ NS-I / NS-II / NS-III / NS-IV / NS-V, JNCH.
3. The Chairman, JNPCT / CEO GTI / CEO NSICT & NSIGT / BMCT.
4. Office Bearers of CSLA, MANSA, CFSAI for circulating among their members (as well as to other shipping lines / CFSs operating at JNPT) for information and necessary action.
5. All Additional / Joint Commissioner of Customs, JNCH.
6. All Deputy / Assistant Commissioner of Customs, JNCH.
7. All Sections / Groups of NS-G, NS-I, NS-II / NS-III/ NS-IV / NS-V, JNCH.
8. BCBA.
9. AC/DC, EDI for uploading on JNCH website immediately.

APPLICATION FORM FOR GRANT OF AEO T1 STATUS

Annexure - 1

(General Compliance)

S.No.	Compliance Parameter	Yes/No	Remark
1	Name of Company / Economic Operator:		
2	Has your AEO application been rejected or your AEO status has been suspended in past. If so, on what grounds (please enclose the rejection/suspension letter)		
3(a) 3(b)	IEC NO. GSTN No. (Copies of both to be provided)		
4 4 (i) 4(ii)	Address: Number and Street: City/District, State & Zip Code: (This shall include list of sites, under control, where import/export goods are handled, e.g, packed / unpacked / loaded / unloaded / consolidated etc. in the course of supply to/from international supply chain) Please provide Site Plan for all the above sites.		
4(a)	Whether applicant is a manufactures or trader		
4(b)	If applicant is a manufacturer, what are the main items of manufacturing		
4(c)	Industry Classification (Eg. Automotive/ Pharmaceutical/ Textile/ Chemicals & Plastics/ IT/ Metals/ Minerals/ Agriculture & Processed Food/ Electronics etc)		
5(a)	Contact person		
5(b)	Designation		
5(c)	Contact Number		
5(d)	Alternate Contact Number		
5(e)	Email address		
6	Company registration No.: (in case of companies registered under the Companies Act, 1956 and / or Limited Liability Partnership Act, 2008)		
7	PAN Number (copy to be provided)		
8(a)	Major Items of import and countries (in descending order of volume)		
8(b)	Major Items of export and countries (in descending order of volume)		
9	Number of documents i.e. Bills of Entry or Shipping bills handled, with the Customs Authorities during the last financial year.		
10	Duration for which the entity has business activities preceding the date of application?		
11	Provide Process Map that should illustrate the flow of goods and provide sample copy of relevant record keeping documentation (related to - sales & purchase order, inventory management of warehouse and manufactured goods, shipping/transport document) to ascertain the complete trail and flow of goods. It should describe all the activities/ operations and role of the applicant and that of other business partners who are involved in the import-export supply chain in any manner.		

Annexure - 2

(Legal, Managing Commercial Records and Financial Solvency Compliance)

S.No.	Compliance Parameter	Yes/No	Remark
1	<p>Whether there are any cases of infringement of Customs & Allied Laws by any of the following persons over the three financial years preceding the submission of the application:</p> <p>(i) the applicant;</p> <p>(ii) (ii) the person responsible in the applicant company for customs matters.</p> <p>If yes, please indicate the details of the cases.</p>		
2	<p>Have you been issued an SCN by Customs or GST (erstwhile Central Excise and Service Tax) authorities in last 3 years? If yes, kindly bring out:</p> <p>1. Brief of the breach including the provision invoked in the SCN.</p> <p>2. Whether SCN has been adjudicated? If Yes, bring out the decision of the order.</p> <p>3. Whether there is any case against you wherein prosecution has been launched?</p>		
3	<p>Provide the break-up of contingent liability of last three Financial Year. If contingent liability pertains to Customs or GST (erstwhile Central Excise and Service Tax) provide the brief of such liability.</p>		
4 (i)	<p>Provide procedures for administering the license, authorization connected to exports/imports?</p>		
4 (ii)	<p>Provide procedures for administering the commercial records connected to exports/imports?</p>		
4 (iii)	<p>Do you deal in goods subject to anti-dumping duties, safeguard duties or countervailing duties? If, yes, please briefly provide details of the goods.</p>		
5	<p>Provide procedures for verifying the accuracy of Customs declarations including procedure in place on the establishment of Customs Value and tariff classification.</p> <p>In case any Business Partners/ representative is involved in the abovementioned process/formalities please provide details of the representative along with the document that brings out the responsibility of the representative.</p>		
6	<p>Provide in brief the procedure to ensure the protection of your computerized record system from unauthorized access?</p>		
7	<p>Provide procedures for back-up, recovery, archiving and retrieval of your business records.</p> <p>Please state for how long is this data archived.</p>		
8	<p>Provide the net worth along with the audited Audit Report of your company for last 3 Financial Year.</p>		
9	<p>Provide the Net Current Assets for your company for last 3 years. If it is negative, bring out the reason for the same</p>		
10	<p>Provide details of any insolvency, bankruptcy or liquidation proceedings taken against your company in last 3 FY. Please give a declaration in this regard duly signed by CFO or head of Finance department</p>		

Note: The applicant should enclose appropriate documentary evidences in support of above claims.

DECLARATION

(to be provided on official letter head of the company)

I hereby declare that all the information given in this application and in all documents submitted herewith is true and accurate.

By tendering this application form for joining the Indian Authorized Economic Operator Programme, I acknowledge my understanding and acceptance of the following terms and conditions:

- To provide in the application the completed application form, self-assessment questionnaire, and supporting documents.
- To inform Indian Customs immediately of any change in the particulars declared on this application form and in all submitted documents any time before the starting of or during the documentary check;
- To offer adequate and reasonable assistance to Indian Customs on documentary check(s); and
- To allow Indian Customs to publish on its homepage the name of my company once accredited.

I understand and agree that all information I submit in relation to this application will be verified by the Indian Customs as required.

Signature *

(Full Name)

Position in Company

Date

* Except for sole proprietorship or partnership, the person who signs this application shall have a written authorization from a board/director of the company to make this application and act on behalf of the company.