

DISCREPANCIES
in

APPLICATIONS FILED FOR GRANT OF
EXPORT AUTHORISATION

DOCUMENTS REQUIRED FOR EXAMINATION OF EXPORT APPLICATIONS

- Brief Write Up about items of export
- Relevant Category under SCOMET Category 6 with details of item eg., 6A001, 6A002 etc.
- Technical Specifications
- Copy of Purchase Order
- EUC in prescribed format
- Industrial License for applications filed under Arms Rules
- Other documents/undertakings relevant to the purpose of export – exhibition, tender, repair, testing etc.

Common Discrepancies Noted Applications For Export Authorisation under Part-A & Part-B of SOP

- **Technical Specification** not attached
- **Mismatch in application and attached documents**
 - **Item Description**
 - **Quantity**
 - **Value in the Application** with attached documents
- **EUC submitted is not in prescribed format**
- **Name of Indian Manufacturer not mentioned in EUC**
- **The purpose of import not clearly defined in EUC**

EUC FORMAT

63 / 69 | 80%

End User
(Name, Address, Registered Office, Telephone/Fax Number):

Contract/Purchase Order Number with Date

Mode and Port of shipment

S.No.	Description of the Items Exported	Classification in Indian Export Regulations	Quantity	Total Price

1. It is hereby certified that the item(s) imported will be used by the undersigned for the following purpose(s) only

2. It is hereby declared /certified that:

- The item(s) imported will not be used for purposes other than those declared in EUC **and that such use shall not be changed nor the items modified or replicated without the prior consent of the Government of India.**
- That the parts/components will not be subsequently transferred (re-exported) without the prior authorization of the original exporting Government.
- The item(s) will not be diverted, sold or transferred to any third party whatsoever, except as indicated in EUC.
- If required, verification/certification that the possession of the item(s) has occurred would be provided.
- The item(s) imported by us shall not be used for any purpose that relates to development of weapons of mass destruction and their delivery system.

Signature of End User (with English Translation)

Designation
Ministry of
Government of
Official Stamp (with English Translation)

-63- Date
Place

Upcoming Earnings 19:19 07-11-2024

Common Discrepancies Noted Applications For Export Authorisation under Part-A & Part-B of SOP

- **Name and designation of signing authority NOT MENTIONED in EUC**
- **Variation in EUCs signed by End User/Importer/Buyer**
- **In Repeat Order cases – copy of Export Authorisation issued earlier not attached**
- **Manufacturing license not attached – For Form X**
- **English Translation of the Documents and stamp in foreign language duly certified by notary public / Embassy/Mission of India abroad is not attached.**
- **Final Product being manufactured using the parts & components exported from India is not specified**

Suggestive Solution for Part A and Part B

- Items of export for which application is filed, be highlighted in the **PO, EUC etc to make the scrutinization process** easy
- Brief Regarding Intent of the application may be attached for quick comprehension of the application.
- Annexure attached to EUC be signed and stamped
- Quantity of the item should be mentioned in EUC
- In case of large number of items in one application, quantity of the item should match with the quantity in the EUC/Annexure

Common Discrepancies Noted Applications For Export Authorisation under Part-C [Purpose: Exhibitions]

- **Items to be exported are not clearly mentioned** as Appendix-II or non-Appendix-II as per SoP
- Items to be exported are not mentioned as **lethal or non-lethal**.
- **Confirmation from Organizer** issued to the applicant for participation in the Exhibition not attached in the application
- Declaration in **Appendix- V(b)** is not attached.
- Value not mentioned as **Zero** in the Application.

Common Discrepancies Noted Applications For Export Authorisation under Part-D [Demonstration, Testing and Evaluation]

- Items not clearly mentioned as Appendix-II or non-Appendix-II as per SoP
- Items not mentioned as lethal or non-lethal
- Importer not clearly defined as Testing Agency
- Justification letter covering brief of the case not attached
- Purpose of demonstration not clearly mentioned in the documents
- Name & designation of the person signing EUC/Relevant Document and its stamp are not clear
- Translation of the Documents and stamp in foreign language duly certified by notary public / Embassy/Mission of India abroad is not attached

Common Discrepancies Noted Applications For Export Authorisation under Part-D [Demonstration, Testing and Evaluation]

- Justification for export of large Quantity for Testing not given
- Sample size for testing not mentioned
- In case importer and testing agency are different, clear chain of transaction not established
- Justification for testing and proof of consent from Importer/Testing Agency not attached
- Utilisation of the EA issued earlier for the same purpose and to the same entity not mentioned in Application

Common Discrepancies Noted Applications For Export Authorisation under Part-D [Demonstration, Testing and Evaluation]

- If the testing/evaluation is to be done against the tender, validity of the tender not clear
- Conditions for export of samples winning the bidder @ L1 not indicated
- Declaration in **Appendix- V(c)** is not attached on the letterhead of the firm duly signed and stamped by the authorized signatory
- Value not mentioned as **Zero** in the Application.

Common Discrepancies Noted Applications For Export Authorisation under Part-E [Participation in Tenders/RFP/NIT]

- Items to be exported not clearly mentioned as Appendix-II or non-Appendix-II
- Items to be exported are not mentioned as lethal or non-lethal
- Item mentioned as non-lethal does not figure in the non- lethal list (Appendix- 1-A) of SoP.
- Manufacturing License not attached - export for business development
- Name & designation of the person signing EUC/Relevant Document and its stamp are not clear.
- English Translation of the Documents and stamp in foreign language duly certified by notary public / Embassy/Mission of India abroad is not attached

Common Discrepancies Noted Applications For Export Authorisation under Part-E [Participation in Tenders/RFP/NIT]

- **Quantity /item name in the application** do not match with the requirement of the Tender Document.
- **Value of item in the application not mentioned as Zero**
- Tender due date and Tender expiry date not mentioned
- Timelines of the export of the time subject to the conditions like winning the bidder @ L1 not clearly indicated
- Validity of the Tender document
- Value not mentioned as **Zero** in the Application
- Technical Specification not attached

Suggestive Solution:

- Relevant parts viz. item name, quantity, date of tender/closing date of tender etc may be **highlighted** in the documents attached with the application

Part-F [Purpose : Transfer of Technology/ Software for design, development, manufacturing, training, maintenance services, upgrade & overhaul of Munition List items]

- The technology transfer is not explicitly mentioned as to whether it is intra-company ToT or inter-company ToT
- The name of the item in SCOMET Cat 6 of which the technology is proposed to be transferred is not mentioned
- not attached to establish clear chain of transaction
- Zero Value in application is not justified

Suggestive Solution in respect of all Parts of Export Applications

1. Write up on intent of the application
2. Index indicating which documents attached in which head/tab
3. Brief of the case in mentioned in the Information Box in the Application
4. EUC from all - Buyer/Importer/End User to be submitted
5. EUCs should be in the Prescribed Formats – Any deviation should be explained

Deficiencies Frequently Observed in the Import Applications to be avoided

1. Brief regarding intent of application not attached
2. Technical & Pictorial Specification of the items to be imported, not attached
3. Manufacturing License not attached
4. Change in Board of Directors, post-issuance of Manufacturing license, if any, is not indicated
5. Application filed are not filed under the ITC(HS) Codes as per Import SOP of DDP and MHA Notification dated 19.1.2024
6. Declaration, indicating that the importer will apply for License under Arms Act from DGFT, is not attached

Thank You & Jai Hind