

EXPORT INSPECTION COUNCIL OF INDIA CONTENTS

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This booklet is meant for free distribution and has no legal value. While every care has been taken to ensure that the information contained in this booklet is correct, no liability or claim may be made against EIC. For full and detailed information, official text of relevant documents / Regulations / Agreements may be referred to.

INTRODUCTION

Export Inspection Council of India (EIC) was established under the Export (Quality Control and Inspection) Act 1963, to advise the Central Government on measures to be taken for development of export trade through quality control and pre-shipment inspection. EIC operates through five field organisations known as the Export Inspection Agencies (EIAs) with headquarters at Mumbai, Kolkata, Kochi, Delhi and Chennai. Over more than 38 years of its existence, EIC / EIAs have been instrumental in building quality awareness amongst a wide cross section of exporting industry.

EIC / EIAs render services to the export sector in the following areas:

- * Certification of Product Quality in accordance with the norms and legislations of different destinations worldwide through Consignment-wise Inspection (CWI) or system approach including In-process Quality Control (IPQC) or Self Certification (SC).
- * Approval and certification of processing and manufacturing units based on Food Safety Management Systems like HACCP, Good Hygiene/Manufacturing Practices (GHPs / GMPs).
- * Product Testing – microbiological, chemical, biochemical, physical contamination, heavy metals, pesticide residues, biotoxins, additives and all other relevant parameters.
- * Training and technical assistance to industry in installation of food safety/quality/environment/laboratory management system meeting HACCP/ISO 9000/ISO 14000/ISO 17025 standards and norms; product testing and certification under preferential tariff schemes.
- * Issue of Certificates of
 - Origin under preferential tariff schemes like Generalised System of Preferences (GSP), Global System of Trade Preferences (GSTP), SAARC Preferential Trading Agreement (SAPTA), Indo-Sri Lanka Free Trade Agreement (ISFTA), Asia Pacific Trade Agreement (APTA), South Asia Free Trade Area (SAFTA), CECA India -Singapore, EHS Indo-Thailand and Indo-Afghanistan Preferential Trade Agreement (IAPTA)
 - Health for food items.
 - Inspection for all commodities.
 - Authenticity for Basmati Rice.

Under the provisions of WTO Agreements, especially the SPS Agreement, several of India's trading partners have imposed import control systems based on international standards, particularly in food sector. The WTO Agreements also provide for recognition of the export certification system of member trading partners provided it meets the requirements of their import control. EIC, as the official export certification body of India, has initiated dialogue with several of India's trading partners seeking recognition of its certification.

Presently, EIC's certification is recognised in the following areas:

1. **Basmati Rice by European Commission** (for Certificates of Authenticity).
2. **Black Pepper by United States Food & Drug Administration (USFDA)** (as per which, any consignment of black pepper from India, not accompanied by EIA's certificate, is detained on arrival in USA).
3. **Fish & Fishery Products by European Commission** (as per which, the processing units are specifically approved for export to European Union and the names of approved units sent to the European Commission for formal notification, after which they can export to EU countries).
4. **Fish and Fishery Products by Australian Quarantine & Inspection Service (AQIS) Australia's official import control agency** (as per which seafood consignments from India accompanied by EIC's certificates will undergo only random verification sampling not exceeding 5% of the consignments and health certificates issued by EIC will be accepted).

Right from the inception of GSP in 1971, EIC has been functioning as the Nodal Authority for issue of GSP certificates of origin. In fact, it is the sole agency for printing and distribution of blank certificate of origin forms and one of the two organisations authorised by the Government of India to issue GSP certificates of origin for all products. It also organises training programs on GSP and other Preferential Schemes for the benefit of certifying officials as well as the exporters and offers consultancy to exporters for qualification of products under all schemes of preferential origin.

Information in respect of services offered by the Export Inspection Council of India and its field organisations, the Export Inspection Agencies is also available on the website <http://www.eicindia.org>.

In case of any query, kindly contact,

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GENERALISED SYSTEM OF PREFERENCES (GSP)

2.1 Introduction

- The Generalised System of Preferences (GSP) is a non-contractual instrument by which industrially developed countries extend tariff concession to goods originating in developing countries.
- The declared objectives are to assist developing countries:
 - in increasing their export earnings :
 - in promoting their industrialisation : and
 - in accelerating their rates of economic growth.
- The principles underlying GSP were formally accepted in March 1968 during the 2nd UNCTAD Conference held at New Delhi.

2.2 What is GSP

- Traditionally, the GSP has been an autonomous commercial policy instrument, directed towards development. It has been based on the most classical commercial policy instrument of all: the tariff. The objective has been to offer the developing countries a more preferential tariff compared to that given to developed countries in order to enable a more favourable access to the developed market for their exports.
- For a layman GSP is a preferential tariff system extended by developed countries (preferences giving countries) to developing countries (preference receiving countries).
- It involves reduced MFN tariff or duty free treatment of eligible products exported by developing countries like India, to the markets of developed countries, like Member States of European Union. The preferences offered are, however, unilateral and non – discriminatory.

2.3 Benefits of GSP

- Indian exporters benefit indirectly – through the benefits that accrues to the importer by way of reduced tariff or duty free entry of eligible Indian products.
- Reduction or removal of import duty on an Indian product makes it more competitive in the developed foreign markets.

2.4 Generalised Schemes of Preferences

- The generalized schemes of preferences were first put into operation in the year 1971, with the application of the basic principles defined in the generalized system of preferences elaborated within the UNCTAD.
- While European Economic Community (now the European Union) was first to grant tariff preferences under GSP, Turkey is the latest entrant to have introduced tariff preferences for goods originating in developing countries wef 1st January 2002. Now, 36 developed countries are offering preferential tariff treatment to the eligible Indian goods through 12 schemes. Each scheme prescribes its own rules and regulations for determining eligibility of a product to preferential tariff treatment. Certificate of origin form A, duly filled in by the exporter and certified by an authorised Governmental Agency is accepted by all countries as evidence of origin for according tariff concessions. Ministry of Commerce and Industry is the administrative Ministry for such authorisation.

2.5. Countries that extend Preferential Tariff Treatment under GSP

GSP presently comprises of 12 different schemes extended by 36 preference-giving countries.

Australia	* <u>EU</u>	
Canada	Austria	Czech Republic
Japan	Belgium	Estonia
New Zealand	Denmark	Cyprus
Norway	Finland	Latvia
Switzerland	France	Lithuania
United States of America	Germany	Hungary
Republic of Belarus	Greece	Malta
Republic of Bulgaria	Ireland	Poland
Russian Federation	Italy	Slovenia
Turkey	Luxembourg	Slovakia
European Union (EU*)	Netherlands	Spain
	Portugal	Sweden
	United Kingdom	

2.6 Agencies Authorised to issue Certificates of Origin

Presently following organizations have been authorized to issue certificates of origin under GSP.

Sl.	Organization	Commodity
(i)	Export Inspection Council of India through its field organisations – the Export Inspection Agencies with offices all over India.	All Products
(ii)	Directorate General of Foreign Trade through Regional Offices known as Joint Director General / Deputy Director – General of Foreign Trade.	All Products
(iii)	Development Commissioner, Export Processing Zone at Santa Cruz (Bombay), Cochin, Madras, Falta, Visakhapatnam, Kandla and Noida.	All Products manufactured by EOUs / units within respective EPZs
(iv)	Development Commissioner for Handicrafts through 14 Regional Offices all over India.	Handicrafts
(v)	Marine Products Export Development Authority through their 12 Regional Offices all over India	Marine Products
(vi)	Textiles Committee through 28 Regional Offices all over India	Textiles and Made ups
(vii)	Central Silk Board through 8 Regional Offices all over India	Silk Products
(viii)	Coir Board, Kochi	Coir & Coir Products
(ix)	Tobacco Board, Guntur	Tobacco & Tobacco products
(x)	Spices Board, Kochi	Spices and Cashew nuts

2.7 Fee Structure

Sale price of blank form : Rs. 25/- per set / form.

Certification Fee : Rs 350 /- per set /form
(Without Physical verification)

Fee for physical verification : Travel and stay of officer to be borne by the exporter.

GLOBAL SYSTEM OF TRADE PREFERENCES AMONG DEVELOPING COUNTRIES (GSTP)

3.1 Introduction

3.1.1 The Agreement on Global System of Trade Preferences among developing countries (GSTP) was negotiated in the year 1988 by 48 developing countries that were member of Group of 77.

3.1.2 The declared objectives of the GSTP are:

- a. To promote and sustain mutual trade, and
- b. To develop economic co-operation among developing countries (members of Group of 77).

3.2 Rules of Origin

3.2.1 The objective of these rules is to determine the origin of products eligible for preferential concessions under GSTP. Products, which have achieved the status 'originating in India', are eligible for preferential tariff treatment upon imports into participant countries.

3.2.2 Following products are considered as originating in India, if they are consigned directly to a participant country.

- a. Products that are wholly obtained in India, as defined at 3.2.4 below.
- b. Products obtained in India in the manufacture of which, in addition to the materials referred to at 4 below and materials originating in participant countries, materials imported from non – participant countries and / or materials of undetermined origin are also used, provided the value of materials imported from non – participant countries and / or materials of undetermined origin does not exceed 50% of the f.o.b. value of the product, subject to condition detailed at 5 below.

3.2.3 For the purpose of 3.2.2 (b), value of non-originating materials means the c.i.f. value at the time of importation of such materials or, if this is not known and cannot be ascertained and proved, the first ascertainable price paid for the materials in India.

3.2.4 Within the meaning of 3.2.2 (a) above, the following are considered as wholly obtained in India.

- (a) raw or mineral products¹ extracted from its soil, its water or its seabed;
- (b) agricultural products² harvested there;
- (c) animals born and raised there;
- (d) products obtained from animals referred to in clause (c) above;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other marine products taken from the high seas by its vessels^{3,4};

- (g) products processed and/or made on board its factory ships^{4,5} exclusively from products referred to in clause (f) above;
- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from the products referred to in clauses (a) to (i) above.

3.2.5 Products which comply with origin requirements provided for at 3.2.2 above and which are used by a participant as input for a finished product eligible for preferential treatment by another participant shall be considered as a product originating in the territory of the participant where working or processing of the finished product has taken place provided that the aggregate content originating in the territory of the participant is not less than 60 per cent of its f.o.b. value⁶.

3.2.6 The following are considered to be directly consigned from India to the importing country.

- a. If the products are transported without passing through the territory of any non – participant country.
- b. The products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that
 - (i) the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - (ii) the products have not entered into trade or consumption there; and
 - (iii) The products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

3.2.7 When determining the origin of the products, packing forms a whole with the product it contains.

3.3 Participant Countries under GSTP

Member countries of Group of 77 who negotiated GSTP are as under :

Algeria	Mexico
Angola	Morocco
Argentina	Mozambique
Bangladesh	Nicaragua
Benin	Nigeria
Bolivia	Pakistan
Brazil	Peru
Cameroon	Philippines
Chile	Qatar
Colombia	Republic of Korea
Cuba	Romania
Democratic People's Republic of Korea	Singapore
Ecuador	Sri Lanka
Egypt	Sudan
Ghana	Thailand
Guinea	Trinidad and Tobago
Guyana	Tunisia
Haiti	United Republic of Tanzania
India	Uruguay
Indonesia	Venezuela
Iran (Islamic Republic of)	Viet Nam
Iraq	Yugoslavia
Libyan Arab Jamahiriya	Zaire
Malaysia	Zimbabwe

3.4 Agencies Authorised to issue Certificates of Origin

Presently following organisations have been authorised to issue certificate of origin under GSTP.

S1.	Organization	Commodity
(i)	Export Inspection Council through their field offices known as Export Inspection Agencies with offices all over India.	All Products
(ii)	Tobacco Board, Guntur	Tobacco & Tobacco products

3.5 Fee Structure

- Sale price of blank form : Rs. 25/- per set/form
- Certification Fee : Rs 350 /- per set /form
(Without Physical verification)

Notes:

1. *Includes mineral fuels, lubricants and related materials as well as mineral or metal ores*
2. *Includes forestry products*
3. *“Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in India and operated by Indian citizen(s) or Government or partnership, corporation or association, duly registered in India, at least 60 per cent of equity of which is owned by a citizen or citizens and / or Government of India or 75% by citizens or Governments of the participants. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and/or sharing of catch between participants will also be eligible for preferential concessions.*
4. *In respect of vessels or factory ships operated by Government agencies, the requirement of flying the flag of a particular participant does not apply.*
5. *For the purpose of GSTP, the term “factory ship” means any vessel, as defined, used for processing and / or making on board products exclusively from those products referred to in clause 3.2.4 (f).*
6. *“Partial Cumulation” as implied at 3.2.5 above means that only products, which have acquired originating status in the territory of one participant, may be taken into account when used as inputs for a finished product eligible for preferential treatment in the territory of another participant.*

ASIA PACIFIC TRADE AGREEMENT (APTA)

4.1 Introduction

The Asia Pacific Trade Agreement (APTA) is a preferential trading arrangement designed to liberalise and expand trade in goods progressively in the Economic and Social Commission for Asia and Pacific (ESCAP) region. Agreement so far has been implemented by India, Bangladesh, Republic of Korea, Srilanka & China. Asia Pacific Trade Agreement (APTA) is a rename of the Bangkok Agreement (BA) from 1st September 2006. The Bangkok Agreement was effective from 31st July 1975.

4.1.1 The declared objectives of APTA are:

- a. To promote and sustain mutual trade, and
- b. To develop economic co-operation among contracting countries;

4.2 Rules of Origin

4.2.1 The objective of these rules is to determine the origin of products eligible for preferential concessions under APTA. Products, which have achieved the status 'originating in India', are eligible for preferential tariff treatment upon imports into participant countries.

4.2.2 Following products are considered as originating in India, if they are consigned directly to a participant country.

- a. Products that are wholly obtained in India, as defined at 4.2.4 below.
- b. Products obtained in India in the manufacture of which, in addition to the materials referred to at 4.2.4 below and materials originating in participant countries, materials imported from non – participant countries and / or materials of undetermined origin are also used, provided the value of materials imported from non – participant countries and / or materials of undetermined origin does not exceed 50% of the f.o.b. value of the product, subject to condition detailed at 4.2.5 below.

4.2.3 For the purpose of 4.2.2 (b), value of non-originating materials means the c.i.f. value at the time of importation of such materials or, if this is not known and cannot be ascertained and proved, the first ascertainable price paid for the materials in India.

4.2.4 Within the meaning of 4.2.2 (a) above, the following are considered as wholly obtained in India.

- (a) raw or mineral products¹ extracted from its soil, its water or its seabed;
- (b) agricultural products² harvested there;
- (c) animals born and raised there;
- (d) products obtained from animals referred to in clause (c) above;
- (e) products obtained by hunting or fishing conducted there;

- (f) products of sea fishing and other marine products taken from the high seas by its vessels^{3,4};
- (g) products processed and/or made on board its factory ships^{4,5} exclusively from products referred to in clause (f) above;
- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from the products referred to in clauses (a) to (i) above.

4.2.5 Products which comply with origin requirements provided for at 4.2.2 and which are used by a participant as input for a finished product eligible for preferential treatment by another participant are considered as a product originating in the territory of the participant where working or processing of the finished product has taken place provided that the aggregate content originating in the territory of the participant is not less than 60 per cent of its f.o.b. value⁶.

4.2.6 The following are considered to be directly consigned from India to the importing country.

- a. If the products are transported without passing through the territory of any non – participant country.
- b. The products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that
 - (i) the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - (ii) the products have not entered into trade or consumption there; and
 - (iii) The products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

4.2.7 When determining the origin of the products, packing forms a whole with the product it contains.

4.3 Participant Countries

People’s Republic of Bangladesh	Republic of Korea
Cambodia	Thailand
Republic of India	Democratic Socialist Republic of Sri Lanka
The Philippines	People’s Republic of China

4.4 Agencies Authorised to issue Certificates of Origin

Various Export Development Authorities, Development Commissioners of EPZs / SEZs and the Export Inspection Agencies have been authorized to issue certificate of origin under APTA.

4.5 Fee Structure

Sale price of blank form	: Rs. 25/- per set/form
Certification Fee	: Rs 350 /- per set /form (Without Physical verification)

Notes:

1. *Includes mineral fuels, lubricants and related materials as well as mineral or metal ores*
2. *Includes forestry products*
3. *“Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in India and operated by Indian citizen(s) or Government or partnership, corporation or association, duly registered in India, at least 60 per cent of equity of which is owned by a citizen or citizens and / or Government of India or 75% by citizens or Governments of the participants. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and/or sharing of catch between participants will also be eligible for preferential concessions.*
4. *In respect of vessels or factory ships operated by Government agencies, the requirement of flying the flag of a particular participant does not apply.*
5. *For the purpose of APTA, the term “factory ship” means any vessel, as defined, used for processing and / or making on board products exclusively from those products referred to in clause 4.2.4 (f).*
6. *“Partial Cumulation” as implied by 4.2.5 above means that only products, which have acquired originating status in the territory of one participant, may be taken into account when used as inputs for a finished product eligible for preferential treatment in the territory of another participant.*

SAARC PREFERENTIAL TRADING ARRANGEMENT (SAPTA)

5.1 Introduction

- 5.1.1 The Agreement on SAARC Preferential Trading Arrangement (SAPTA) was negotiated in the year 1993 by the 7 developing countries that were members of South Asian Association for Regional Cooperation (SAARC).
- 5.1.2 The declared objectives of the SAPTA are:
- a. To promote and sustain mutual trade, and
 - b. To develop economic co-operation among developing countries (members of Group of 77).

5.2 Rules of Origin

- 5.2.1 The objective of these rules is to determine the origin of products eligible for preferential concessions under SAPTA. Products, which have achieved the status 'originating in India', are eligible for preferential tariff treatment upon imports into participant countries.
- 5.2.2 Following products are considered as originating in India, if they are consigned directly to a participant country.
- a. Products that are wholly obtained in India, as defined at 5.2.4 below.
 - b. Products obtained in India in the manufacture of which, in addition to the materials referred to at 5.2.4 below and materials originating in participant countries, materials imported from non – participant countries and / or materials of undetermined origin are also used, provided the value of materials imported from non – participant countries and / or materials of undetermined origin does not exceed 50% of the f.o.b. value of the product, subject to condition detailed at 5 below.
- 5.2.3 For the purpose of 5.2.2 (b), value of non-originating materials means the c.i.f. value at the time of importation of such materials or, if this is not known and cannot be ascertained and proved, the first ascertainable price paid for the materials in India.
- 5.2.4 Within the meaning of 5.2.2 (a) above, the following are considered as wholly obtained in India.
- (a) raw or mineral products¹ extracted from its soil, its water or its seabed;
 - (b) agricultural products² harvested there;
 - (c) animals born and raised there;
 - (d) products obtained from animals referred to in clause (c) above;
 - (e) products obtained by hunting or fishing conducted there;
 - (f) products of sea fishing and other marine products taken from the high seas by its vessels^{3,4};
 - (g) products processed and/or made on board its factory ships^{4,5} exclusively from products referred to in clause (f) above;

- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from the products referred to in clauses (a) to (i) above.

5.2.5 Products which comply with origin requirements provided for at 5.2.2 and which are used by a participant as input for a finished product eligible for preferential treatment by another participant are considered as a product originating in the territory of the participant where working or processing of the finished product has taken place provided that the aggregate content originating in the territory of the participant is not less than 60 per cent of its f.o.b. value⁶.

5.2.6 The following are considered to be directly consigned from India to the importing country.

- a. If the products are transported without passing through the territory of any non – participant country.
- b. The products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that
 - (i) the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - (ii) the products have not entered into trade or consumption there; and
 - (iii) The products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

5.2.7 When determining the origin of the products, packing forms a whole with the product it contains.

5.3 Participant Countries

People’s Republic of Bangladesh	Kingdom of Nepal
Kingdom of Bhutan	Islamic Republic of Pakistan
Republic of India	Democratic Socialist Republic of Sri Lanka
Republic of Maldives	

5.4 Agencies Authorised to issue Certificates of Origin

Various Export Development Authorities, Development Commissioners of EPZs / SEZs and the Export Inspection Agencies have been authorized to issue certificate of origin under SAPTA.

5.5 Fee Structure

Sale price of blank form	:	Rs. 25/- per set/form.
Certification Fee	:	Rs 350 /- per set /form (Without Physical verification)

Notes:

1. *Includes mineral fuels, lubricants and related materials as well as mineral or metal ores.*
2. *Includes forestry products.*
3. *"Vessels" shall refer to fishing vessels engaged in commercial fishing, registered in India and operated by Indian citizen(s) or Government or partnership, corporation or association, duly registered in India, at least 60 per cent of equity of which is owned by a citizen or citizens and / or Government of India or 75% by citizens or Governments of the participants. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and/or sharing of catch between participants will also be eligible for preferential concessions.*
4. *In respect of vessels or factory ships operated by Government agencies, the requirement of flying the flag of a particular participant does not apply.*
5. *For the purpose of SAPTA, the term "factory ship" means any vessel, as defined, used for processing and / or making on board products exclusively from those products referred to in clause 5.2.4 (f).*
6. *"Partial Cumulation" as implied by 5.2.5 above means that only products, which have acquired originating status in the territory of one participant, may be taken into account when used as inputs for a finished product eligible for preferential treatment in the territory of another participant.*

INDO-SRI LANKA FREE TRADE AGREEMENT (ISFTA)

6.1 Introduction

6.1.1 An agreement for establishing a Free Trade Area was signed on 28 December 1998 between the Republic of India and the Democratic Socialist Republic of Sri Lanka. Subsequently, on 02 February 2000, a meeting between Secretary, Ministry of Commerce, Government of India and the Secretary, Treasury, Government of Sri Lanka was held in which it was decided that Export Inspection Council of India (EIC) will be the sole authority to issue certificates of origin in India, under the Agreement.

6.1.2 The objectives of this Agreement are:

- a) To promote through expansion of trade, the harmonious development of the economic relations between India and Sri Lanka.
- b) To provide fair conditions of competition for trade between India and Sri Lanka.
- c) To contribute in this way, by the removal of barriers to trade, to the harmonious development and expansion of world trade.

6.1.3 As per the Agreement, Government of Sri Lanka will accord tariff concessions to such Indian products upon their imports into Sri Lanka, except for products grouped in the Negative List of Sri Lanka, provided the products are originating in India and are directly consigned to Sri Lanka.

6.2 Rules of Origin

6.2.1 The objective of these rules is to determine the origin of goods under the free trade agreement. Products, which have achieved the status 'originating in India', are eligible for preferential tariff treatment upon imports into Sri Lanka.

6.2.2 Following products are considered as originating in India.

- (a) Products that are wholly obtained in India, as defined at 6.2.3 below.
- (b) Products obtained in India in the manufacture of which, in addition to the materials referred to at 6.2.3 below, materials originating in Sri Lanka alone are also used, provided
 - (i) that value addition in India is not less than 25% of the f.o.b. value of the product under export, and
 - (ii) that aggregate value addition, that is, total value addition in India and Sri Lanka, is not less than 35% of the f.o.b. value of the product under export.

- (c) Products obtained in India in the manufacture of which, in addition to the materials referred to at 6.2.3 below, materials imported from more than one country (whether or not including Sri Lanka) or of undetermined origin are also used, provided
 - (i) the materials of imported or undetermined origin, used in the manufacture of the product, are subjected to sufficient working or processing in India, as defined at 6.2.4 below, going beyond those described as insufficient working or processing at 6.2.5 below, and
 - (ii) the value of such materials of imported or undetermined origin does not exceed 65% of the f.o.b. value of the product.

6.2.3 Within the meaning of 6.2.2 (a) above, the following are considered as wholly obtained in India.

- (a) raw or mineral productsⁱ extracted from its soil, its water or its seabed;
- (b) vegetable productsⁱⁱ harvested there;
- (c) animals born and raised there;
- (d) products obtained from animals referred to in clause (c) above;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other marine products taken from the high seas by its vessels^{3,4};
- (g) products processed and/or made on board its factory ships^{4,5} exclusively from products referred to in clause (f) above;
- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products extracted from the seabed or below seabed which is situated outside its territorial waters, provided that it has exclusive exploitation rights;
- (k) goods produced there exclusively from the products referred to in clauses (a) to (j) above.

6.2.4 Within the meaning of 6.2.2 (c) (i) above, materials of imported / undetermined origin will be considered to be sufficiently worked or processed when the product obtained is classified in a heading (at the 4 digit level) of Harmonised Commodity Description & Coding System (HS), which is different from those in which such materials of imported / undetermined origin are classified.

6.2.5 The following are, in any event, considered as insufficient working or processing, that would not confer the status of originating products regardless of whether or not the requirements of 6.2.2 (c) (ii) or 6.2.4 above are satisfied.

- (a) Operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations).

- (b) Simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
- (c)
 - (i) changes of packing and breaking up and assembly of consignments,
 - (ii) simple slicing, cutting and repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards, etc., and all other simple packing operations.
- (d) affixing of marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in these Rules to enable them to be considered as originating products;
- (f) simple assembly of parts of products to constitute a complete product;
- (g) a combination of two or more operations specified in (a) to (f);
- (h) slaughter of animals.

6.2.6 For the purpose of 6.2.2 (c) (ii), value of non-originating materials means the c.i.f. value at the time of importation of such materials or, if this is not known and cannot be ascertained and proved, the first ascertainable price paid for the materials in India.

6.2.7 The following are considered to be directly consigned from India to Sri Lanka.

- (a) If the products are transported without passing through the territory of any country other than India and Sri Lanka.
- (b) The products whose transport involves transit through one or more intermediate countries with or without transshipment or temporary storage in such countries; provided that
 - (i) the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - (ii) the products have not entered into trade or consumption there; and
 - (iii) the products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

6.2.8 When determining the origin of the products, packing forms a whole with the product it contains.

6.3 Certificate of Origin

6.3.1 The first consignment of a particular product of a particular exporter is certified only after **Physical Verification** that origin criterion / value addition norm prescribed at 6.2 above is actually being met. Continued compliance to prescribed origin criterion / value addition norm is to be assessed on a periodic basis at a frequency of 1 in 20 consignments, for each product. Depending upon the performance observed in the last 1 year, the In-charge of the Agency has the discretion to change this frequency for a

product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product.

Physical verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product.

- 6.3.2 In the case of application of 6.2.2 (b), the certifying authorities will rely upon certificates of origin issued by the Director General of Commerce, Sri Lanka as evidence of material originating in Sri Lanka.

6.4 Agencies Authorised to issue Certificates of Origin

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under ISFTA.

6.5 Fee Structure

Sale price of blank form	: Rs. 25/- per set / form.
Certification Fee	: Rs 350 /- per set / form (without physical verification).
Fee for physical verification	: Rs. 500/- per man-day plus actual cost of transportation.

Notes:

1. *Includes mineral fuels, lubricants and related materials as well as mineral or metal ores.*
2. *Includes agricultural and forestry products.*
3. *“Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in India and operated by Indian citizen(s) or partnership, corporation or association, duly registered in India, at least 60 per cent of equity of which is owned by a citizen or citizens and / or Government of India or 75% by citizens and / or Governments of India and Sri Lanka. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements which provide for chartering / leasing of such vessels and/or sharing of catch between India and Sri Lanka will also be eligible for preferential treatment.*
4. *In respect of vessels or factory ships operated by Government agencies, the requirement of flying the flag of the Contracting Party does not apply.*
5. *For the purpose of ISFTA, the term “factory ship” means any vessel, as defined, used for processing and / or making on board products exclusively from those products referred to in clause 6.2.3 (f).*

INDIA AFGHANISTAN PREFERENTIAL TRADE AGREEMENT (IAPTA)

7.1 Introduction

7.1.1 A bilateral Preferential Trade Agreement was signed on 6th March 2003 between the Governments of India and Afghanistan. Under this Agreement, while India agreed to grant tariff concessions to 38 commodities (at six – digit level) originating in Afghanistan, 8 Indian commodities (at six – digit level) comprising Black Tea; Ayurvedic & Homeopathic Medicines; Refined Sugar; Cement; Antisera & other Blood Preparations etc., will get duty-free entry into Afghanistan. Subsequently, Ministry of Commerce & Industry, Government of India had decided to authorise Export Inspection Council of India (EIC) to issue certificates of origin under IAPTA.

7.1.2 The objectives of this Agreement are:

- a) To promote through expansion of trade, the harmonious development of the economic relations between India and Afghanistan.
- b) To provide fair conditions of competition for trade between India and Afghanistan.
- c) To pay due regard to the principle of reciprocity in the implementation of this agreement.
- d) To contribute in this way, by the removal of barriers to trade, to the harmonious development and expansion of world trade.

7.1.3 As per the Agreement, Government of Afghanistan will accord tariff concessions to identified Indian products provided the products are originating in India and are directly consigned to Afghanistan.

7.2 Rules of Origin

7.2.1 The objective of these rules is to determine the origin of goods under the preferential Trade agreement. Products, which have achieved the status 'originating in India', are eligible for preferential tariff treatment upon imports into Afghanistan.

7.2.2 Following products are considered as originating in India.

- (a) Products that are wholly obtained in India, as defined at 7.2.3 below.
- (b) Products obtained in India in the manufacture of which, in addition to the materials referred to at 7.2.3 below, materials originating in Afghanistan alone are also used, provided -
 - (i) that value addition in India is not less than 30% of the f.o.b. value of the product under export, and
 - (ii) that aggregate value addition, that is, total value addition in India and Afghanistan, is not less than 40% of the f.o.b. value of the product under export.

- (c) Products obtained in India in the manufacture of which, in addition to the materials referred to at 7.2.3 below, materials imported from more than one country (whether or not including Afghanistan) or of undetermined origin are also used, provided
 - (i) the materials of imported or undetermined origin, used in the manufacture of the product, are subjected to sufficient working or processing in India, as defined at 7.2.4 below, going beyond those described as insufficient working or processing at 7.2.5 below, and
 - (ii) the value of such materials of imported or undetermined origin does not exceed 50% of the f.o.b. value of the product.

7.2.3 Within the meaning of 7.2.2 (a) above, the following is to be considered as wholly obtained in India.

- (a) raw or mineral productsⁱⁱⁱ extracted from its soil, its water or its seabed;
- (b) vegetable products^{iv} harvested there;
- (c) animals born and raised there;
- (d) products obtained from animals referred to in clause (c) above;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other marine products taken from the high seas by its vessels^{3,4};
- (g) products processed and/or made on board its factory ships exclusively from products referred to in clause (f) above^{4,5};
- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products extracted from the seabed or below seabed which is situated outside its territorial waters, provided that it has exclusive exploitation rights;
- (k) goods produced there exclusively from the products referred to in clauses (a) to (j) above.

7.2.4 Within the meaning of 7.2.2 (c) (i) above, materials of imported / undetermined origin will be considered to be sufficiently worked or processed when the product obtained is classified in a heading (at the 4 digit level) of Harmonised Commodity Description & Coding System (HS), which is different from those in which such materials of imported / undetermined origin used in its manufacture are classified.

7.2.5 The following will, in any event, be considered as insufficient working or processing, that would not confer the status of originating products regardless of whether or not the requirements of 7.2.2 (c) (ii) or 7.2.4 above are satisfied.

- (a) Operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations).
- (b) Simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;

- (i) changes of packing and breaking up and assembly of consignments,
- (ii) simple slicing, cutting and repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards, etc., and all other simple packing operations.

- (c) affixing of marks, labels or other like distinguishing signs on products or their packaging;
- (d) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in these Rules to enable them to be considered as originating products;
- (e) simple assembly of parts of products to constitute a complete product;
- (f) a combination of two or more operations specified in (a) to (f);
- (g) slaughter of animals.

7.2.6 For the purpose of 7.2.2 (c) (ii), value of non-originating materials means the c.i.f. value at the time of importation of such materials or, if this is not known and cannot be ascertained and proved, the first ascertainable price paid for the materials in India.

7.2.7 The following shall be considered to be directly consigned from India to Afghanistan.

- (a) If the products are transported without passing through the territory of any country other than India and Afghanistan.

- (b) The products whose transport involves transit through one or more intermediate countries with or without transshipment or temporary storage in such countries; provided that
 - (i) the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - (ii) the products have not entered into trade or consumption there; and
 - (iii) The products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

7.2.8 When determining the origin of the products, packing shall form a whole with the product it contains.

7.3 Certificate of Origin

The first consignment of a particular product of a particular exporter is certified only after Physical Verification that origin criterion / value addition norm prescribed at 7.2 above is actually being met. Continued compliance to prescribed origin criterion / value addition norm is to be assessed on a periodic basis at a frequency of 1 in 20 consignments, for each product. Depending upon the performance observed in the last one year, the In-charge of the Agency has the discretion to change this frequency for a product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product.

Physical verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product.

7.4 Fee Structure

Sale price of blank form	:	Rs. 25/- per set / form.
Certification Fee	:	Rs 350 /- per set / form (without physical verification).
Fee for physical verification	:	Rs. 500/- per man-day plus actual cost of transportation.

Notes:

1. *Includes mineral fuels, lubricants and related materials as well as mineral or metal ores.*
2. *Includes agricultural and forestry products.*
3. *“Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in India and operated by Indian citizen(s) or partnership, corporation or association, duly registered in India, at least 60 per cent of equity of which is owned by a citizen or citizens and / or Government of India. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering / leasing of such vessels and/or sharing of catch between India and Afghanistan will also be eligible for preferential treatment.*
4. *In respect of vessels or factory ships operated by Government agencies, the requirements of flying the flag of the Contracting Party does not apply.*
5. *For the purpose of IAPTA, the term “factory ship” means any vessel, as defined, used for processing and / or making on board products exclusively from those products referred to in clause 7.2.3 (f).*

SOUTH ASIAN FREE TRADE AREA

8.1 Introduction

- 8.1.1 The Agreement on South Asian Free Trade Area was signed in between the Governments of SAARC Member States comprising the Peoples Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of Maldives, the Kingdom of Nepal, the Islamic Republic of Pakistan and Democratic Socialist Republic of Sri Lanka.
- 8.1.2 The declared objectives of the SAFTA are to promote and enhance mutual trade and economic cooperation among contracting States;
- 8.1.3 The contracting states will accord tariff concession to identified products provided the products are originating in contracting State and are directly consigned to the Member State.

8.2 Rule of Origin

- 8.2.1 The objective of these rules is to determine the origin of products eligible for preferential concessions under SAFTA. Products, which have achieved originating status in India, are eligible for preferential tariff upon import into participant country.
- 8.2.2 Following products are considered as originating in India
- (a) Products are wholly obtained in India, as defined at 8.2.3
 - (b) Not wholly produced or obtained
- Products not wholly produced or obtained shall be subject to Rule 8.2.5 and any of the conditions prescribed under Rule 8.2.4.1, Rule 8.2.4.2 or Rule 8.2.8
- 8.2.3 Within the meaning of 8.2.2(a) the following are considered wholly produced or obtained in India as
- a) raw or mineral products extracted from its soil, its water or its sea bed extending upto its seabed or continental shelf;
 - b) Agriculture, vegetable and forestry products harvested there;
 - c) animals born and raised there;
 - d) products obtained from animals referred to in clause (c) above;
 - e) products obtained by hunting or fishing conducted there,
 - f) products of sea fishing and other marine products from the high seas by its vessels;
 - g) products processed and /or made on board its factory ships exclusively from products referred to in clause (f) above;
 - h) raw materials recovered from used articles collected there;
 - i) waste and scrap resulting from manufacturing operations conducted there;
 - j) products taken from the seabed, ocean floor or subsoil thereof beyond the limits of national jurisdiction, provided it has the exclusive rights to exploit that sea bed, ocean floor or subsoil thereof;
 - k) goods produced there exclusively from the products referred to in clauses (a) to (j) above.

8.2.4 Not Wholly Obtained or Produced

8.2.4.1 (a) Products originating in the exporting Contracting State shall be considered to be sufficiently worked or processed for the purposes of granting originating status if they fulfil the following conditions:

- (i) The final product is classified in a heading at the four digit level of the Harmonised Commodity Description and Coding System differently from those in which all the non-originating materials used in its manufacture are classified and
- (ii) Products worked on or processed as a result of which the total value of the materials, parts or produce originating from other countries or of undetermined origin used does not exceed 60% of the FOB value of the products produced or obtained and the final process of manufacture is performed within the territory of the Contracting State.

(b) Notwithstanding the condition laid down in paragraph (a) & (b) of this Rule, the products listed in the products specific rule shall be eligible for preferential treatment if they comply with Rule 8.2.4.1 (a) or they fulfill the condition corresponding to those products as mentioned in the Product Specific Rule.

8.2.4.2 Cummulation

Unless otherwise provided for, products worked on or processed in a Contracting State using the inputs originating in any Contracting States within the meaning of Rule 8.2.2 shall be eligible for preferential treatment provided that

- (a) the aggregate content (value of such inputs plus domestic value addition in further manufacture) is not less than 50 percent of the FOB value;
- (b) the domestic value content (value of inputs originating in the exporting Contracting State plus domestic value addition in further manufacture in the exporting Contracting State), is not less than 20 percent of the FOB value; and
- (c) the final product satisfies the condition of
 - (i) change in classification at the four digit level (CTH) as provided under Rule 8.2.4.1(a) (i); or
 - (ii) change in classification at the six-digit level (CTSH) as agreed upon in the Product Specific Rules reflected in Rule 8.2.4.1 (a).

8.2.5 Non-qualifying Operations

The following shall in any event be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- 1) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling placing in salt, Sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations).
- 2) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
- 3) (i) changes of packing and breaking up and assembly of consignments,
(ii) simple slicing, cutting and repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards, etc., and all other simple packing operations.
- 4) The affixing of marks, labels or other like distinguishing signs on products of their packaging;
- 5) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in these rules to enable them to be considered as originating products; and mere dilution with water or another substance that does not materially alter the characteristics of the products;
- 6) simple assembly of parts of products to constitute a complete product;
- 7) a combination of two or more operations specified in (1) to (6);

8.2.6 The following are considered to be directly consigned to the importing country if the products are transported without passing through territory of non

- a) participant country
- b) the products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that
 - i. the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - ii. the products have not entered into trade consumptions there ; and
 - iii. the products have not undergone any or any operation there other than unloading and reloading operation required to keep them in good condition.

8.2.7 When determining the origin of the products, packing forms a whole with the product it contains

8.2.8 Special Treatment to least Developed Contracting States

The products originating in LDCS shall be allowed a favourable 10 percentage points applied to percentage applied in rule 8.2.4.1 and the products originating in Sri Lanka shall be allowed a favourable 5 percentage applied to rule 8.2.4.1

8.3 Certificate of Origin

The first consignment of a particular product of a particular exporter is certified only after Physical Verification that origin criterion / value addition norm prescribed at 8.2 above is actually being met. Continued compliance to prescribed origin criterion / value addition norm is to be assessed on a periodic basis at a frequency of 1 in 20 consignments, for each product. Depending upon the performance observed in the last one year, the In-charge of the Agency has the discretion to change this frequency for a product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product.

Physical verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product.

The CoO shall be obtained at the time of exportation or within three working days from the date of shipment.

8.4 Agencies Authorised to issue Certificates of Origin

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under SAFTA.

8.5 Fee Structure

Sale price of blank form	:	Rs. 25/- per set/form.
Certification Fee	:	Rs 350 /- per set /form (Without Physical verification)

Notes:

- (i) Includes minerals fuels, lubricants and related materials as well as mineral or metals ores.
- (ii) “Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in the country of the Contracting State and operated by a citizen or citizens of the Contracting State or partnership, corporation or association, duly registered in such country, at least 60 percent of equity of which is owned by a citizen or citizens and /or Government of such Contracting state 75 percent by citizens and /or Governments of the Contracting States. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and /or sharing of catch between Contracting State will also be eligible for preferential treatment.
- (iii) In respect of vessels or factory ships operated by Government agencies, the requirements of flying the flag of the Contracting state do not apply.
- (iv) For the purpose of this factory ship” means any Agreement, the term “vessel, as defined used for processing and/or making on board products exclusively from those products referred to in clause (f) of Rule

CECA BETWEEN INDIA & SINGAPORE

9.1 Introduction

India & Singapore Comprehensive Economic Cooperation Agreement came into effect from 1st August 2005. It is a bilateral agreement between Indian and Singapore.

9.1.2 The declared objectives of the CECA are –

- (a) To promote through expansion of trade, the harmonious development of economic relations between India and Singapore.
- (b) To provide four conditions of competition of trade between India and Singapore.
- (c) To contribute in this way by the removal of barriers to trade, to harmonise development and expansion of world trade.

9.1.3 As per Agreement, Government of Singapore will accord tariff concession to such Indian products upon their import into Singapore; provided that products are originating in India are directly consigned to Singapore.

9.2 Rules of Origin

9.2.1 The objective of these rules is to determine the origin of goods under CECA. Products which have achieved the status of originating in India, are eligible for preferential tariff treatment upon imports into Singapore.

9.2.2 Following products are considered as originating in India –

- (a) Products that are wholly obtained in India as defined in Rule 9.2.3,
- (b) Not wholly produced or obtained

Products not wholly produced or obtained shall be subject to Rule 9.2.4

9.2.3 Within meaning of 9.2 2 (a) the following shall be considered as wholly produced or obtained in India

- (a) raw or mineral products extracted from its soil, its water or its sea bed extending upto its seabed or continental shelf;
- (b) Agriculture, vegetable and forestry products harvested there;
- (c) animals born and raised there;
- (d) products obtained from animals referred to in clause (c) above;
- (e) products obtained by hunting or fishing conducted there,
- (f) products of sea fishing and other marine products from the high seas by its vessels;
- (g) products processed and /or made on board its factory ships exclusively from products referred to in clause (f) above;
- (h) raw materials recovered from used articles collected there;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products taken from the seabed, ocean floor or subsoil thereof beyond the limits of national jurisdiction, provided it has the exclusive rights to exploit that sea bed, ocean floor or subsoil thereof;
- (k) goods produced there exclusively from the products referred to in clauses (a) to (j) above.

9.2.4 Not Wholly Obtained or Produced

Products originating in the exporting Contracting State shall be considered to be sufficiently worked or processed for the purposes of granting originating status subject to the article 9.2.5 and 9.2.6 if they fulfil the following conditions:

- a. (i) the total value of the material, parts or produce originating from countries other than the parties or of undetermined origin used in manufacturing of the products does not exceed 60% of the FOB value of the products so produced or obtained: and,
 - (ii) The final product is classified in a heading at the four digit level of the Harmonised Commodity Description and Coding System differently from those in which all the non-originating materials used in its manufacture are classified ; or
- b. The product satisfies the Product Specific Rules as specified in agreement.

9.2.5 Non-qualifying Operations

The following shall in any event be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

1. operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling placing in salt, Sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations).
2. simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
3. (i) changes of packing and breaking up and assembly of consignments,
 - (ii) simple slicing, cutting and repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards, etc., and all other simple packing operations.
4. the affixing of marks, labels or other like distinguishing signs on products of their packaging;
5. simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in these rules to enable them to be considered as originating products; and mere dilution with water or another substance that does not materially alter the characteristics of the products;
6. simple assembly of parts of products to constitute a complete product;
7. a combination of two or more operations specified in (1) to (6)

9.2.6 Accumulation

9.2.6.1 A product manufactured in one party used in territory of other party as material for the finished product shall be considered as originating in territory of latter party provided that

- (a) it complies with the origin requirements provided for in rule 9.2.3 or 9.2.4 ; and
- (b) fulfils the criteria in rule 9.2.5 and ;

9.2.6.2 The origin of the finished product would be determined under rule 9.2.4

9.2.7 The following are considered to be directly consigned to the importing country if the products are transported without passing through territory of non -

- a. Participant country
- b. The products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that
 - i. the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - ii. the products have not entered into trade consumptions there ; and
 - iii. the products have not undergone any or any operation there other than unloading and reloading operation required to keep them in good condition

9.2.8 When determining the origin of the products, packing forms a whole with the product it contains.

9.3 Certificate of Origin

The first consignment of a particular product of a particular exporter is certified only after Physical Verification that origin criterion / value addition norm prescribed at 9.2 above is actually being met. Continued compliance to prescribed origin criterion / value addition norm is to be assessed on a periodic basis at a frequency of 1 in 20 consignments, for each product. Depending upon the performance observed in the last one year, the In-charge of the Agency has the discretion to change this frequency for a product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product.

Physical verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product.

9.4 Agencies Authorised to issue Certificates of Origin

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under CECA.

9.5.1 Fee Structure

Sale price of blank form	:	Rs. 25/- per set/form.
Certification Fee	:	Rs 350 /- per set /form (Without Physical verification)

Notes:

- i. Includes minerals fuels, lubricants and related materials as well as mineral or metals ores.
- ii. “Vessels” shall refer to fishing vessels engaged in commercial fishing, registered in the country of the Contracting State and operated by a citizen or citizens of the Contracting State or partnership, corporation or association, duly registered in such country, at least 60 percent of equity of which is owned by a citizen or citizens and /or Government of such Contracting state 75 percent by citizens and /or Governments of the Contracting States. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and /or sharing of catch between Contracting State will also be eligible for preferential treatment.
- iii. In respect of vessels or factory ships operated by Government agencies, the requirements of flying the flag of the Contracting state do not apply.
- iv. For the purpose of this Agreement, the term “factory ship” means any vessel, as defined used for processing and/or making on board products exclusively from those products referred to in clause (f) of Rule

EARLY HARVEST SCHEME UNDER INDO-THAILAND FRAMEWORK AGREEMENT

10.1 Introduction

A framework Agreement for establishing Free Trade Area between India and Thailand was signed on 9.10.2003. Under the agreement an Early Harvest Scheme, containing common agreed list of items for tariff reduction/elimination, was implemented with effect from 1.9.2004.

10.1.2 The declared objectives of the Agreement are –

- a) To promote through expansion of trade, the harmonious development of economic relations between India and Thailand
- b) To provide four conditions of competition of trade between India and Thailand
- c) To contribute in this way by the removal of barriers to trade, to harmonise development and expansion of world trade.

10.1.3 As per Agreement, Government of Thailand will accord tariff concession to such Indian products upon their import into Thailand; provided that products are originating in India are directly consigned to Thailand.

10.2 Rules of Origin

10.2.1 The objective of these rules is to determine the origin of goods under EHS India-Thailand. Products which have achieved the status of originating in India, are eligible for preferential tariff treatment upon imports into Thailand

10.2.2 Following products are considered as originating in India –

- (a) Products that are wholly obtained or produced in India, as defined in 10.2.3
- (b) Not wholly produced or obtained

Products not wholly produced or obtained shall be subject to Rule 10.2.4 or of 10.2.6, and 10.2.5.

10.2.3 Within the meaning of 10.2.2. (a) the following are considered as wholly produced or obtained in the territory of the exporting Contracting State

- a) raw or mineral products extracted from its soil, its water or its sea bed extending upto its seabed or continental shelf;
- b) Agriculture, vegetable and forestry products harvested there;
- c) animals born and raised there;
- d) products obtained from animals referred to in clause (c) above;
- e) products obtained by hunting or fishing conducted there,
- f) products of sea fishing and other marine products from the high seas by its vessels;
- g) products processed and /or made on board its factory ships exclusively from products referred to in clause (f) above;
- h) raw materials recovered from used articles collected there;

- i) waste and scrap resulting from manufacturing operations conducted there;
- j) products taken from the seabed, ocean floor or subsoil thereof beyond the limits of national jurisdiction, provided it has the exclusive rights to exploit that sea bed, ocean floor or subsoil thereof;
- k) goods produced there exclusively from the products referred to in clauses (a) to (j) above.

10.2.4 Not wholly produced or obtained

- (a) For the purpose of Rule 10.2.2 (b), the following general criteria should be applied, provided that the final process of the manufacture is performed within the territory of the exporting Party and subject to Rule 10.2.5.
 - (i) local value added content criterion;
 - (ii) a change in tariff classification criterion between the export product and all non-originating materials used in its production.
- (b) Products specified in Product Specific Rule which fulfil one or a combination of the above criteria shall be considered as originating from the exporting Party provided that the final process of the manufacture is performed within the territory of the exporting Party and subject to Rule 10.2.5.
- (c) For the products not specified in Product Specific Rule as per Rule 10.2.4 (b) the following criteria shall be applied in determining the origin of not-wholly produced or obtained products provided that the final process of the manufacture is performed within the territory of the exporting Party and subject to Rule 10.2.5;
 - (i) local value added content of 40% meaning thereby that the total value of materials originating from the countries other than the Parties or of undetermined origin (that is non-originating materials) used does not exceed 60% of the FOB value of the product so produced or obtained; and
 - (ii) change in tariff heading at the 4 digit level of Harmonised System where the final export product is classified differently from all the non-originating materials used in its production.

10.2.5 Non-qualifying Operations

The following shall in any event be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

1. operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling placing in salt, Sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations).
2. simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
3.
 - (i) changes of packing and breaking up and assembly of consignments,
 - (ii) simple slicing, cutting and repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards, etc., and all other simple packing operations.

4. the affixing of marks, labels or other like distinguishing signs on products of their packaging;
5. simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in these rules to enable them to be considered as originating products; and mere dilution with water or another substance that does not materially alter the characteristics of the products;
6. simple assembly of parts of products to constitute a complete product;
7. a combination of two or more operations specified in (1) to (6);
8. Products not wholly produced or obtained in the territory of exporting party, provided that said products are eligible under rule 10.4

10.2.6 Cumulation

Unless otherwise provided for , products which comply with origin requirements provided for Rule 10.2.2 and which are used in the territory of a party as materials for finished products eligible for preferential treatment under the agreement shall be considered as products originating in territory of the party where working or processing of finished product has taken place subject to fulfilment of conditions of rule 10.2.5 and that the aggregate India-Thailand value added content on final product is not less than 40% or a the local value added content specified for products in Product Specific Rule.

10.2.7 The following are considered to be directly consigned to the importing country

- a. if the products are transported without passing through territory of non participant country
- b. The products whose transport involves transit through one or more non – participant countries with or without transshipment or temporary storage in such countries; provided that -
 - i. the transit entry is justified for geographical reason or by considerations related exclusively to transport requirements;
 - ii. the products have not entered into trade consumptions there ; and
 - iii. the products have not undergone any or any operation there other than unloading and reloading operation required to keep them in good condition

10.2.8 When determining the origin of the products, packing forms a whole with the product it contains.

10.3 Certificate of Origin

The first consignment of a particular product of a particular exporter is certified only after Physical Verification that origin criterion / value addition norm prescribed at 10.2 above is actually being met. Continued compliance to prescribed origin criterion / value addition norm is to be assessed on a periodic basis at a frequency of 1 in 20 consignments, for each product. Depending upon the performance observed in the last one year, the In-charge of the Agency has the discretion to change this frequency for a product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product.

Physical verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product.

10.4 Agencies Authorised to issue Certificates of Origin

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under INDO-THAILAND Free Trade Agreement

10.5 Fee Structure

Sale price of blank form : Rs. 25/- per set/form
Certification Fee : Rs 350 /- per set/form
(without Physical verification)
Physical verification : Rs 500 / per visit per man day

Notes:

- i. Includes minerals fuels, lubricants and related materials as well as mineral or metals ores.
- ii. "Vessels" shall refer to fishing vessels engaged in commercial fishing, registered in the country of the Contracting State and operated by a citizen or citizens of the Contracting State or partnership, corporation or association, duly registered in such country, at least 60 percent of equity of which is owned by a citizen or citizens and /or Government of such Contracting state 75 percent by citizens and /or Governments of the Contracting States. However, the products taken from vessels, engaged in commercial fishing under Bilateral Agreements, which provide for chartering/leasing of such vessels and /or sharing of catch between Contracting State will also be eligible for preferential treatment.
- iii. In respect of vessels or factory ships operated by Government agencies, the requirements of flying the flag of the Contracting state do not apply.
- iv. For the purpose of this Agreement, the term "factory ship" means any vessel, as defined used for processing and/or making on board products exclusively from those products referred to in clause (f) of Rule.

India-MERCOSUR Preferential Trade Agreement (IMPTA)

1. Introduction :-

India and Mercosure (Trading bloc of Brazil, Argetina, Uruguay and Paraguay) signed a Preferential Trade agreement (PTA) in New Delhi on January 25 2004. Annexes to this agreement were signed and incorporated to it on March 19, 2005. This agreement came into effect from June 1, 2009.

2. Objectives:-

The aim of this Preferential Trade Agreement is to expand and strengthen the existing relations between MERCOSUR and India and promote the expansion of trade by granting reciprocal fixed tariff preferences with the ultimate objective of creating a free trade area between the parties.

3. Annexes

3.1 The [India-MERCOSUR PTA](#) provides for five Annexes. The five finalized Annexes are as under.

- Annex I to the PTA - [Offer List of MERCOSUR](#) for tariff concession on Indian products in MERCOSUR. It contains 452 products.
- Annex II to the PTA - [Offer List of India](#) for tariff concession on MERCOSUR's products in India. It contains 450 products.
- [Annex III to the PTA - Rules of Origin](#)
- [Annex IV to the PTA - Safeguard Measures](#)
- [Annex V to the PTA - Dispute Settlement Procedure \(DSP\)](#)

3.2 The major products covered in Indian offer list are meat and meat products, organic & inorganic chemicals, dyes & pigments, raw hides and skins, leather articles, wool, cotton yarn, glass and glassware, articles of iron and steel, machinery items, electrical machinery and equipments, optical, photographic & cinematographic apparatus

3.3 The major product groups covered in the offer list of MERCOSUR are food preparations, organic chemicals, pharmaceuticals, essential oils, plastics & articles, rubber and rubber products, tools and implements, machinery items, electrical machinery and equipments

4. Agencies Authorised to issue Certificates of Origin

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under India-Mercosur Preferential Trade Agreement.

5. Fee Structure

Sale price of blank form : Rs. 25/- per set/form
Certification Fee : Rs 350 /- per set/form

India – Korea CEPA

India signed a Comprehensive Economic Partnership Agreement (CEPA) with South – Korea on 7.8.2009. Articles 4.2 and 4.3 of Chapter 4 of the Agreement relate to Certificate of Origin and Articles 4.11 and 4.12 relate to verification of origin. This Agreement has come into force w.e.f. 1.1.2010.

The two parties under the Agreement recognize that economic and trade liberalization should allow for the optimal use of natural resources in accordance with the objective of sustainable development and resolve to promote reciprocal trade and investment, and to avoid circumvention of benefits of regional trade integration, through the establishment of clear and mutually advantageous trade rules, and industry as well as regulatory cooperation.

Export Inspection Council has been authorized by Government of India to issue Certificate of Origin under the Agreement.

Agencies Authorised to issue Certificates of Origin:-

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under India-Mercosur Preferential Trade Agreement.

Fee Structure:-

Sale price of blank form : Rs. 25/- per set/form
Certification Fee : Rs 350 /- per set/form

ASEAN – India Free Trade Agreement

India has entered into a Free Trade Agreement (Trade in Goods Agreement) with ASEAN on 13.8.2009 under the Framework Agreement on Comprehensive Economic Cooperation. This Agreement has come into force w.e.f. 1.1.2010. The Export Inspection Council has been modified as an authorised agency to issue Certificate of Origin under this Agreement by the Director General of Foreign Trade vide Public Notice No.22/2009-2014 dated 4.12.2009.

ASEAN is an Association of Southeast ASEAN Nations, namely, Brunei Darussalam, the Kingdom of Cambodia (Cambodia), the Republic of Indonesia (Indonesia), the Lao People's Democratic Republic (Lao PDR), Malaysia, the Union of Myanmar (Myanmar), the Republic of the Philippines (the Philippines), the Republic of Singapore (Singapore), the Kingdom of Thailand (Thailand) and the Socialist Republic of Viet Name (Viet Nam).

Framework Agreement on Comprehensive Economic Cooperation between the Republic of India and the Association of Southeast Asian Nations reflect the commitment of India and ASEAN to establish the ASEAN – India Free Trade Area covering trade in goods by 2013 for Brunei Darussalam, Indonesia, Malaysia, Singapore and Thailand and India; by 2018 for the Philippines and India; and by 2013 for India and by 2018 for Cambodia, Lao PDR, Myanmar and Viet Nam.

Agencies Authorised to issue Certificates of Origin:-

Export Inspection Council of India, through its field organizations, the Export Inspection Agencies, is the sole authority for issue of certificates of origin under India-Mercosur Preferential Trade Agreement.

Fee Structure:-

Sale price of blank form : Rs. 25/- per set/form
Certification Fee : Rs 350 /- per set/form

INDIA – MALAYSIA COMPREHENSIVE ECONOMIC COOPERATION
AGREEMENT

(IMCECA)

India and Malaysia signed the India-Malaysia Comprehensive Economic Cooperation Agreement (IMCECA) on 18th February 2011. The Agreement has come into effect from 1st July 2011 and EIC has been designated as the competent authority to issue the Certificates of Origin in India. In turn, these certificates will be issued by the EIAs.

The text of CECA is available at <http://commerce.nic.in/trade/IMCECA/title.pdf>.

Rules of origin are contained in Chapter 3 of the CECA. The operational certification procedures are detailed in Annex 3-3 and the Product Specific Rules are detailed at Annex 3-1.

The cost of blank form is Rs.25/- and certification fee is Rs.350/-.

INDIA – JAPAN COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT

(IJCEPA)

India and Japan signed the India-Japan Comprehensive Economic Partnership Agreement (IJCEPA) on 16th February 2011. The Agreement has come into effect from 1st August 2011 and EIC has been designated as the competent authority to issue the Certificates of Origin in India. In turn, these certificates will be issued by the EIAs.

The text of CEPA is available at [http://eicindia.org/eic/pdf/IJCEPA Basic Agreement.pdf](http://eicindia.org/eic/pdf/IJCEPA%20Basic%20Agreement.pdf).

Rules of origin are contained in Chapter 3 (page 30) of the CEPA. The operational certification procedures are detailed in Annex-3 (page 874) and the Product Specific Rules are detailed at Annex-2 (page 836). The list of goods eligible for preferential tariff treatment in Japan is on page 719.

The cost of blank form is Rs.25/- and certification fee is Rs.350/-.

ON PRE EXPORTATION VERIFICATION

11.1 Instructions specific to ISFTA / IAPTA/EHS under ITFA /CECA between India-Singapore/SAFTA

- 11.1.1 The first consignment of a particular product of a particular exporter is to be certified after a **physical verification** that origin criterion / value addition norm prescribed is actually being met. Continued compliance to origin criterion/value addition is to be assessed on a periodic basis at a frequency of 1 in 20 consignments or once in year whichever occurs earlier for each product. However, physical verification of very first consignment may not be insisted upon under special circumstances, where as a result of error involuntary omissions or any other special circumstances, the consignment may be certified after verifying the documents that origin criteria and value additions are being met and subsequent consignments shall be certified only after physical verification. Depending upon the performance observed in the last one year, the Incharge of the agency shall have the discretion to change this frequency for a product of an exporter subject to the condition that physical verification is carried out at least once in a year for each product. Reasons for relaxations shall however be recorded.
- 11.1.2 Physical Verification has been prescribed primarily for ensuring that origin criteria / value addition norms are actually being met before a certificate is issued for a particular product. Looking at the product, Agency has to decide the best way in which it can achieve this objective. Examination of the consignment is advised primarily on two counts. One gets an idea of the product and the type of materials / components used in its manufacture. This helps in deciding the checks that one would like to carry out for determining origin. The second advantage is that at times, one is able to observe actual use of a non originating material in the consignment.
- 11.1.3 Physical verification is to be carried out where the goods are physically available at the time of submission of the certificate, but preferably at the premises of the manufacturer. In case goods are available at a premises under the jurisdiction of another Agency / Sub Office, physical verification shall be got done through the concerned office within 3 days. In case visit to manufacturing premises is considered necessary in addition to physical verification, it may be organized through the Agency / Sub Office in whose jurisdiction the same is located within 3 days.
- 11.1.4 All schemes shall be clubbed together for the purpose of deciding periodicity of physical verification for a product. In other words outcome of PV carried out for a particular product under one scheme shall also be applicable to consignments of same exporter for similar product being exported under other preferential schemes, provided the origin criteria/value addition norms are complied with.
- 11.1.5 The officer deputed for the physical verification shall submit a report immediately thereafter, covering at least the following points.
- Details of the consignment including the form & invoice,
 - Address(es) of the premises where physical verification was carried out/ visited, for ascertaining compliance to prescribed origin criterion / value addition norm.
 - Date / time of arrival & completion of physical verification / visit, and

- Grounds, in detail, on which the goods are adjudged to be complying (or not complying) to the origin criterion / value addition norm prescribed and the supporting documentation, if any.

11.1.6 Records of issue of certificates of origin / Physical verification carried out shall be maintained exporter – wise and for each exporter product – wise to facilitate desired periodicity of verification.

GUIDELINES FOR ISSUE OF CERTIFICATE OF ORIGIN UNDER TATKAL SCHEME

12.1 A Tatkal Scheme is being introduced to facilitate exporters to obtain Certificate of Origin (CoO) on priority i.e. the certificate would be issued maximum within one hour of its receipt. The scheme is applicable only for the offices which are issuing more than 50 CoOs per day. The scheme will be monitored by DD (GSP)/ Incharge of the Office.

12.2 Issue of Certificate of Origin under TATKAL Scheme –

12.2.1 Application along with Certificate of Origin will be accepted on all working days any time in between -

0930 hrs to 1700 hrs for EIA-Kochi

1000 hrs to 1730 hrs for other EIAs

Application should be addressed to Deputy Director (GSP) / Incharge of Sub-Office.

20.2.2 Tatkal applications will be given priority over regular applications¹. Reasons for delay (beyond prescribed time i.e. 45 minutes) shall be recorded, and shall be brought to the notice of Deputy Director (GSP) / Incharge of Sub-Office.

20.2.3 An Additional amount of Rs.500/- will be charged per CoO under the scheme i.e. the exporter will have to pay Rs.650/- (Rs 350 /- + Rs.500/-) to obtain CoO under Tatkal Scheme.

20.2.4 Discrepancies observed during the processing must be informed to applicant within 30 minutes. On re-submission the same CoO shall be attended on top priority.

20.2.5 Instances involving physical verification may be dealt with in the following matter:-

- a. PV related to first consignment being exported must be carried out. In such a case, the case may not be accepted as Tatkal.
- b. For a regular exporter, PV, if required as per schedule, may be deferred to the next consignment. This relaxation may not be offered in case certification of next consignment is also requested under Tatkal scheme.

20.2.6 The mode of payment will remain the same as per the provision given in the Executive Instructions. Under no circumstances, payment in cash shall be accepted.

¹**Note** – In case for any reason, it is not possible to issue CoO under Tatkal, the exporter shall be informed of the same.

PROCEDURE FOR OBTAINING CERTIFICATES OF ORIGIN FROM EIAs

13.1 Receipt of Application Forms by EIAs

- 13.1.1 Certificate of Origin (CoO) forms are received from exporters during 10.30 hours to 14.30 hours on any working day at EIA - Headquarters except for EIA – Kochi where the timings are 10.00 hours to 14.00 hours. Sub offices of EIAs may adopt different timings. The normal working hours of an office are prominently displayed on the notice board.
- 13.1.2 After normal working hours, CoO forms can be deposited by the exporters in the box kept for the purpose near the reception. This box is opened every day, before the prescribed opening time and the forms processed with due priority over the forms being received on the day.
- 13.1.3 A Tatkal Scheme is being introduced to facilitate exporters to obtain Certificate of Origin (CoO) on priority i.e. the certificate would be issued maximum within one hour of its receipt. The scheme is applicable only for the offices which are issuing more than 50 CoOs per day. The scheme will be monitored by DD (GSP)/ Incharge of the Office.
- 13.1.4 It should be ensured by the exporters, in their own interest, that they intimate the name (s) and specimen signature (s) of their authorised signatory (s) to the office of the Agency, so as to avoid any complication.

13.2 ACCEPTANCE OF APPLICATION FORMS

- 13.2.1 Only exporters are allowed to apply for Preferential Origin Certificates, as they alone are aware of the product, materials used in the manufacture including cost details, essential for determining eligibility of the product(s) for which the certificate is required. Shipping agents are only allowed to act as the carriers of documents, on behalf of their principals.
- 13.2.2 Though an exporter is normally allowed to obtain certificate of origin from any office of the EIAs, it is recommended that the exporter obtains certificates of origin from an EIA office under whose jurisdiction either its manufacturing unit is located, or its corporate office is located.
- 13.1.3 CoO forms are accepted by the EIA Office only after a preliminary scrutiny confirming the following:
- (a) All columns of the form are properly filled in, except the columns meant for official use of the EIAs.
 - (b) The exporter has properly filled in the Application Form or has furnished an application containing the entire text of Application Form on the letterhead of the company.
 - (c) Signatures and stamp of the exporter are put in the relevant column (11 or 12 of the form, depending on the preferential scheme) and bottom of Application Form. Designation of the officer signing the forms should also be clearly mentioned.

- (d) Communications, if any, are on original letterheads and invoice is either original or a Xerox attested by authorised signatory and bearing seal / stamp of the company and designation of the signatory.
- (e) Certification fee has been paid through an acceptable instrument

13.3 PROCESSING OF APPLICATION FORMS

- 13.3.1 To the extent possible, CoO forms are processed on first-come-first-served basis.
- 13.3.2 To the extent possible, forms received up to the normal time are processed and delivered to the exporters the same day.
- 13.3.3 Deficiencies observed / supplementary information required is normally recorded on the reverse of the last copy of the form and the form returned to the exporter for clearing objections or providing the required information.

13.4 ISSUE OF CERTIFICATE OF ORIGIN

- 13.4.1 As a rule, certificates of origin are issued at the time of exportation of the products, if the goods in question are meeting the origin criteria & the transport condition prescribed by the importing donor country. In certain cases, particular consignment of a particular product of a particular exporter may be certified only after a Physical Verification that origin criterion applicable to the goods is actually being met.
- 13.4.2 One certificate is issued for one consignment. Consignment has been defined as products, which are either sent simultaneously from one exporter to one consignee, or covered by a single Transport Document covering their shipment from the exporter to the consignee or, in absence of such a document, by a single invoice.
- 13.4.3 In exceptional cases (and not in a regular or routine manner), **a certificate of origin can be issued after shipment** where as a result of error, involuntary omission or any other special circumstances, no request for certificate was made to the Agency at the time products were exported. In such a case, the certifying authority may insist for a written explanation of the exigency that prevented the exporter to obtain the certificate prior to exportation.
- 13.4.4 **Bulk exporters** as well as **exporters of perishable goods** like cut flowers, fresh fruits & vegetables **have an option to obtain certificates of origin after shipment, on a regular basis**, provided
 - (a) they apply to the In-charge of the Agency for allowing such post facto certification on a regular basis,
 - (b) their products are examined by the certifying authority in advance for compliance to related Rule of Origin, by way of physical verification of first consignment followed by periodic verification (once in six months) for continued compliance to the rules of origin. For such examination / verification, travel and stay of certifying official is to be borne / provided by the exporter,

- (c) such exporters obtain the certificate of origin within 07 days of shipment of their goods except in case of Japan where they will have to apply for certificate within 3 days of shipment.

13.4.5 In the event of theft, loss or destruction of a certificate, the competent authority could issue **duplicate of certificate of origin** issued earlier. For protecting itself against any misuse, the Agency may insist for an affidavit from the exporter on a stamp paper of appropriate value (as acceptable in local court of law), containing the reasons for loss or destruction of the certificate, under taking not to misuse the duplicate certificate of origin and to return the original, if it is later on retrieved and indemnifying the agency against any loss or damage arising out of issue of the duplicate certificate.

13.4.6 In case “marks” (Box 6) or “description of goods” (Box 7) require more space than that available on the certificate form, exporters are allowed to either use another certificate form in continuation or make the commercial invoice a part of the certificate of origin.

13.5 Delivery of Certificates of Origin / Return of Application Forms

13.5.1 Delivery of certified forms / return of CoO forms under objections is allowed up to 17.00 hours by EIA – Kochi and up to 17.30 hours by other EIAs, on any working day.

13.5.2 The original and first copy of the certificate is issued to the exporter and the remaining copy (ies) retained by the Agency.

13.5.3 Exporters desiring delivery of certificate by post are required to submit self-addressed envelope bearing postal stamps of required value.

13.6 MODE OF PAYMENT OF FEE AND OTHER CHARGES

13.6.1 Payment of price of blank forms and certification fee can be made either through a DEPOSIT ACCOUNT opened with the Agency Office or through a Bankers Cheque / Demand Draft drawn in favour of the Agency and valid for at least 3 months on the date.

13.6.2 A deposit account can be opened by an exporter with the Agency / Sub Office concerned by paying initial sum of Rs. 1,000/- and remitting further amounts periodically, in multiples of Rs. 500/-, depending up on the quantum of certificates being sought. The payment of initial sum for opening of deposit account as well as remittance of further amounts is to be done through local cheques / bank drafts drawn in favour of Export Inspection Agency concerned, and valid for at least three months on the date. For operating the deposit account, a passbook will be issued by the concerned agency / sub-office.

13.7 Clarifications

13.7.1 Clarifications in respect of procedures followed for issue of certificates of origin can be obtained from the Deputy Director (CoO) posted at the headquarters of the respective Export Inspection Agency.

13.7.2 Clarifications in respect of rules of origin can be obtained from Deputy Director (CoO) posted at the headquarters of the respective Export Inspection Agency or the Additional Director / Joint Director / Deputy Director in-charge of CoOs at Export Inspection Council of India, New Delhi.

13.8 Grievances and Complaints

13.8.1 In order to facilitate speedy redressal of genuine grievances and complaints of the exporters pertaining to issue of certificates of origin, authorities detailed below may be approached.

Sl.	Type of Grievance	Contact Person
i	Defective Printing / Sub standard paper of Form A	- DD (CoO) at EIA Headquarters - In-charge of Agency - JD (Admn) - EIC
ii	Objections raised by Certifying Authority not clearly understood	- In-charge of Sub-Office - DD (CoO) at EIA Headquarters
iii	Raising of irrelevant objections	- In-charge of Sub-Office - DD (CoO) at EIA Headquarters
iv	Delay in issue of certificates / wrong delivery of certificate	- In-charge of Sub-Office, - DD (CoO) at EIA Headquarters, - In-charge of Agency
v	Rude behaviour of staff / officers	- In-charge of Agency - JD (CoO) - EIC
vi	Any other grievance related to services provided	- In-charge of Sub-Office - DD (CoO) at EIA Headquarters - In-charge of Agency - Additional Director / JD (CoO) - EIC
vii	Any harassment	- DD (Vig.) at EIA Headquarters - CVO – EIC

In case the grievance / complaint is not resolved to the satisfaction within a period of one week by sub-offices of Agency and two weeks by Head Office of Agency, in spite of being supported by documentary / other related evidence, the matter should be brought to the notice of Director, Export Inspection Council of India, New Delhi.

EIC NETWORK

I. Corporate Office:

Export Inspection Council of India
(Department of Commerce)
(Ministry of Commerce & Industry, Government of India)
IIIrd Floor - NDYMCA Cultural Centre Building,
1, Jaisingh Road, New Delhi – 110 001.
Tel: +91 – 11 – 23341263 / 23748189, 23365540, Fax: 011 – 23748024
Website: www.eicindia.org, E - mail: eic@eicindia.org

II. Address & Contact Numbers of EIC's field organizations - The Export Inspection Agencies and their Sub Offices.

Sr. No.	Office Name
1.	Export Inspection Agency-Mumbai (Head Office) Aman Chambers - 4 th Floor, 113, Maharshi Karve Road, Mumbai - 400 004. Tel: 022 - 2363 0311 / 2363 0312 / 2363 0113 Fax: 022 - 2368 3927, E – mail: eiabombay@eicindia.org
2.	Export Inspection Agency-Mumbai, Sub - Office: Ahmedabad Gun House, Gujarat Samachar Marg, Khanpur, Ahmedabad - 380 001, Tel: 079 - 2550 2704, E – mail: eiaahmedabad@eicindia.org
3.	Export Inspection Agency-Mumbai, Sub - Office: Baroda Kuber Bhavan, Rook No. - 824, T Block, 8th Floor, Near Kothi, Vadodara – 390001, Tel: 0265 - 2415 706, E – mail: eiabaroda@eicindia.org
4.	Export Inspection Agency-Mumbai, Sub - Office: Gandhidham Flat No.4, Yogesh Bhuvan, 1st floor, Plot No.10, Sector-12-C, Lilashah Nagar Gandhidham, Kutch-Pin:370201 ,Phone No:02836-220836 E – mail: eiagandhidham@eicindia.org
5.	Export Inspection Agency-Mumbai, Sub - Office: Goa Shanta (2 nd floor), 18 th June Road, St. Inez, Panaji, Goa - 403 001. Tel: 0832 - 2222 380, E – mail: eiagoa@eicindia.org
6.	Export Inspection Agency-Mumbai, Sub - Office: Porbandar 4, Bhojeswar Plot, Porbandar - 360 575, Tel: 0286 - 2246 376 E – mail: eiaporbandar@eicindia.org
7.	Export Inspection Agency-Mumbai, Sub - office: Pune 34 - D, Swapna Samraj Co-operative House Society, Maharshi Karve Road, Pune - 411 004, Tel: 020 - 2544 0819, E – mail: eiapune@eicindia.org

8.	Export Inspection Agency-Mumbai, Sub - Office: Rajkot Sharad Villa, 25, New Jagnath Plot, Rajkot - 360 001 Tel: 0281 - 2463 620, E – mail: eiaraikot@icindia.org
9.	Export Inspection Agency-Mumbai,Sub - Office: Ratnagiri Sahil Mansion, Shivaji Nagar, Maruthi Mandir, Ratnagiri - 415 612. Tel: 0235 – 2222589, E – mail: eiaratnagiri@icindia.org
10.	Export Inspection Agency-Mumbai, Sub - Office: Thane 102, Shanti Niwas Co. Op. Hsg. Society Ltd., Mith Bunder Road, Chendani Koliwada, Thane (E) 400 603, Tel. No. 022-25323260, E – mail: eiathane@icindia.org
11.	Export Inspection Agency-Mumbai, Sub - Office: Veraval 1st Floor, Jaikishan Complex,80 Feet Road, New Chandramauleshwar Temple, Veraval-362 265, Tel. No.02876-220610 , E – mail: eiaveraval@icindia.org
12.	Export Inspection Agency-Mumbai, Pilot Test House E-3, MIDC Area, Marol, Andheri (East) Mumbai – 400 093 Tel: 022 - 2836 3396, 3397, 3401, 2834 9619; Fax: 022 – 2836 9868 ,E-mail: pth@icindia.org
13.	Export Inspection Agency-Kolkata (Head Office) World Trade Centre, 14/1B Ezra Street, Kolkata - 700 001. Tel: +91-33 - 22355004 / 22352651 / 22352652, Fax :+91-33 - 22354562 E – mail: eiacalcutta@icindia.org
14.	Export Inspection Agency-Kolkata, Sub Office: Bhubaneswar N1 / 271, Nayapalli, CRPF Square, RC Village, Bhubaneswar - 751 015, Tel: 0674 – 2556165, E – mail: eiabhubaneswar@icindia.org
15.	Export Inspection Agency-Kolkata, Sub Office: Dum Dum 120, Majumderpara (1 st Floor), Jessore Road,Near Airport Gate No. 1, Kolkata - 700 079, Tele Fax: 033- 2513 0573, Email: eiadumdum@icindia.org
16.	Export Inspection Agency-Kochi (Head Office) 27/1767 A, Shipyard Quarters Road, Panampilly Nagar (South), Kochi-682036 Tel: 0484 - 2314645 / 2316946 / 2316949, Fax: 0484 - 2316948 E – mail: eiacochin@icindia.org
17.	Export Inspection Agency-Kochi, Sub Office: Bangalore "Kheny Building" - 4 th floor, No.3, Ist Cross, Gandhi Nagar, Bangalore - 560 009., Tel: 080 - 226 5868 , Tele Fax: 080-2238 9931 E – mail: eiabangalore@icindia.org
18.	Export Inspection Agency-Kochi, Sub Office: Mangalore School Book Building - 3 rd floor, Temple Square, Car Street, Mangalore - 575 001., Tel: 0824 - 2496813 E – mail: eamangalore@icindia.org

19.	Export Inspection Agency-Kochi, Sub Office: Quilon Shines Complex - 3 rd floor, Chamakada, Quilon - 691 001. Tel: 0474 – 2749087, E – mail: eiaquilon@eicindia.org
20.	Export Inspection Agency-Delhi (Head Office) Thakkar Bapa Smarak Sadan, 2nd Floor, Dr. Ambedkar Marg, (Link Road) (Behind Jhandewalan Metro Station), New Delhi - 110 055 Tel: 011 – 23626320/21/22/23/24/25/26/27, Fax: 23626328, E-mail: eiadelhi@eicindia.org
21.	Export Inspection Agency-Delhi, Sub Office: Agra C - 1, New Agra, Agra - 282 005, Tel: 0562 - 2522184 E – mail: eiaagra@eicindia.org
22.	Export Inspection Agency-Delhi, Sub Office: Indore 42, Radio Colony, Indore - 452 001. Tel: 0731 - 2702 857 E – mail: eiaindore@eicindia.org
23.	Export Inspection Agency-Delhi, Sub Office: Jaipur 201-202, Tirupati Trade Centre, 4, Sansar Chandra Road, Jaipur - 302 001, Tel: 0141 - 2366 973, E – mail: eiajaipur@eicindia.org
24.	Export Inspection Agency-Delhi, Sub Office: Jalandhar 320, W. G. T. Road, Basti Adda, Jalandhar - 144 001 Tel: 0181 – 2403424, E – mail: eiajalandhar@eicindia.org
25.	Export Inspection Agency-Delhi, Sub Office: Kanpur MD Plaza, 38 / 105, Meston Road (2nd floor), Near Bada Chuwraha, Kanpur - 208 001., Tel: 0512 – 2369 927 E – mail: eiakanpur@eicindia.org
26.	Export Inspection Agency-Delhi, Sub Office: Ludhiana Pabla Cottage, Model Town, Ludhiana - 141 002. Tel: 0161 – 2410 083, E – mail: eialudhiana@eicindia.org
27.	Export Inspection Agency-Delhi, Sub Office: Moradabad Sarai Gulzari Mal - 2 nd floor, Near Kotwali Bazar Ganj, Moradabad - 244 001. Tel: 0591 - 2329 941, E – mail: eamoradabad@eicindia.org
28.	Export Inspection Agency-Chennai (Head Office) 6th Floor CMDA Tower II, No: 1 , Gandhi Irwin Road, Egmore, Chennai - 600 008, Tel: +91-44 - 2855 2841 / 42 Fax: + 91-44 - 2855 2840 E – mail: eamadras@eicindia.org .
29.	Export Inspection Agency-Chennai, Sub Office: Bhimavaram, Door No.27-14-13 J P Road, Besides Padmalay Theater, Bhimavaram – 534 202., Tel: 08816 – 229075, E – mail: eiabhimavaram@eicindia.org

30.	Export Inspection Agency-Chennai, Sub Office: Coimbatore Asiatic Building - 3rd Floor, 200 - C, Dr. Nanjappa Road, Coimbatore - 641 018., Tel: 0422 - 2233 365 E – mail: eiacoimbatore@eicindia.org
31.	Export Inspection Agency-Chennai, Sub Office: Hyderabad No. 903, 9th floor, Raghava Ratna Towers, Chirag Ali Lane, Hyderabad -500 001., Tel: 040 -2 320 2224 E – mail: eahyderabad@eicindia.org
32.	Export Inspection Agency-Chennai, Sub Office: Nagercoil 75 - A, Court Road, Sankar Building, Nagercoil - 629 001., Tel: 04652 –232704 E – mail: eanagercoil@eicindia.org
33.	Export Inspection Agency-Chennai, Sub Office: Tuticorin No. 328, South Cotton Road, Tuticorin - 628 001. Tel: 0461 - 2320 261, E – mail: eiaticorin@eicindia.org
34.	Export Inspection Agency-Chennai, Sub Office: Visakapatnam No. 43-18-26, Venkataraju Nagar, 2nd Floor, Visakapatnam - 530 016, Tel: 0891 - 2747 141, E – mail: eiavizag@eicindia.org

Amendment no.2 to Document no. EIC/CoO-PS/Ex.Inst/Jan /2007/Issue 01

At the end of Clause 5 of part A section III, the following new clause to be added:

6. Guidelines for filling up Certificate of Origin form in the Preferential Trade Agreement

India –Chile

Forms under Preferential Trade Agreement comprising of Certificate of Origin - two copies and Sworn Declaration - two copies

One copy of each is to be retained as an Office copy.

Box No.1 - Insert name, full address, country and insert registration no. in place of ID number.

Box No.2 - Insert name, full address, country and insert registration no. in place of ID number.

Box No.3 - Insert name, full address, country

Box No.4 - when a product to be traded in importing country is invoiced by 3rd party (other than exporter/importer) - insert the information in the Box, name of the 3rd party importer, , address, country, number and date of invoice and value addition carried out by 3rd party.

Box No.5 - insert the name of port of shipment

Box No.6 - insert the name of country of origin

Box No.7 - The products to be described must have originated in accordance with the origin rules of Preferential Trade Agreement Chile –India

Marks & Number of Packages – identifying marks and numbers on the package of products should be indicated. If the packages are addressed to importer, the address should be mentioned. If they are not marked in any way – insert “no marks & numbers”.

Number & kind of package - indicate the number of packages and type of packages.

Box No.8 - Insert – HS code in six digits

Box No.9 - Insert the gross weight (kg.) or other quantity such as the number of article or their volume.

Box No.10 - goods wholly obtained or obtained in the territory of contracting party as defined under article 4 of the this Annex - insert A

goods not wholly obtained or obtained in the territory of contracting party provided that the said products are eligible under article 5 read with article 6 of the Annex - insert B.

Box No.11 – Insert number and date of commercial invoice and value of the goods.

Box No.12 – reserved for certification by the Competent Government Authority

Box No.13 – Declaration to be signed by the exporter.

The exporter shall fill out both the certificate of origin and the sworn declaration. These forms shall be completed in English in which this Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting country. If they are hand-written, they shall be completed in ink in printed characters.

NOTES:

1. The certificate must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initiated by the person who completed the certificate and endorsed by the competent governmental authority of the issuing country.
 2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
 3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.
 4. The origin certificates shall not be issued before the date of issue of the invoice relating to the consignment, but in the same date or within the following sixty (60) days.
 5. Retention period of office records of origin certificates is 5 years and shall keep permanent records of all issued origin certificates, which shall contain at least certificate number, name and the date of issue.
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