



सीमा शुल्क आयुक्त का कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS

सीमा शुल्क गृह, तुत्तुकुडि . 628 004
CUSTOM HOUSE, TUTICORIN - 628 004

☎ 0461 - 2352655, 2352633/ FAX - 0461 - 2352019 / email : cblrofficer@gmail.com

C. No. VIII/13/21/2014-CBS

Date: 27.02.2015

PUBLIC NOTICE NO. 10/2015 dated 27.02.2015

Sub: Streamlining of procedures and practices related to the Customs Brokers to align them with the CBLR, 2013 and other existing instructions - Regarding

It is felt expedient to streamline some procedures and practices related to Customs Brokers in this Commissionerate to ensure that they are in tune with the Customs Brokers Licensing Regulation, 2013 and other instructions. Hence, the following procedures will be followed hereafter.

Appointment of persons by Customs Brokers:

1. Regulation 17(1) of the CBLR, 2013 mandates that *the Customs Brokers should appoint persons only after verifying their antecedents and identity at the declared address by using reliable, independent, authentic documents, data or information. It also mandates that the minimum educational qualification of such persons so employed shall be 10+2, or equivalent.* Instances have come to notice where the persons employed by the Customs Brokers could not produce their original certificates for verification by the Custom House raising doubts whether he meets that minimum educational qualification. Henceforth, Customs Brokers should, after due verification as per Regulation 17(1), submit a declaration on Bond Paper as per Annexure I and enclosures listed in Annexure III with every application for approval of DC/AC under regulation 17(2) for issue or renewal of Photo Identity cards. Copies of the documents listed in the Annexure III should be attested by the Customs Broker after comparing them with the originals.
2. Regulation 17(5) of the CBLR says that *'where the Customs Broker has authorised any person employed by him to sign documents relating to his business on his behalf, he shall file with the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, a written authority in this behalf and give prompt notice in writing if such authorisation is modified or withdrawn'*. Regulation 17 (6) further says that *'a Customs Broker shall authorise only such employee who has passed the examination referred to in regulation 6 or regulation 17 of these regulations to sign declaration on the bills of entry, shipping bills and annexure thereof*. As per regulation 17(7), such persons are issued Form 'F' and Form 'G' ID cards. Henceforth, the authorisation of an employee to sign on behalf of the CB should be given by the Proprietor, Managing Partner or Managing Director of the Customs Broker as per Annexure IV along with a notarised affidavit by the employee as per Annexure V. In order to distinguish the Form 'G' ID card holders who are authorised by the Customs Broker and others who are not authorised, such authorised Form 'G' ID card holders will henceforth be issued ID cards in Form G in BLUE colour. The Form 'G' ID card holders who are already authorised by the CB may surrender their Form 'G' ID card and obtain BLUE colour Form 'G' ID cards.
3. CBEC's circular No. 42/2004 dated 10.06.2004 clarification 1 regarding Regulation 8 of CHALR 2004 shows that the examination should be passed from the concerned Commissionerates only. This has not been modified subsequently. Hence, only Form F

holders of this Commissionerate may be authorised to sign papers on behalf of the Customs Brokers for their work pertaining to this Commissionerate.

4. Customs Brokers should give their authorised signatories a stamp with their name and Form F/G card ID No. which should be affixed under each of their signatures in correspondence with the department. This will make verification easy during any future investigations.

Validity of Photo - Identity cards in Form 'H':

5. The photo ID cards in Form H are currently being issued with a validity of one year. Henceforth, Form H cards will be issued valid for 3 years. Thereafter, they will be renewed for 3 years at a time subject to the validity of the CB Licence.
6. Form 'H' cards already issued will be valid up to the dates mentioned on them. Thereafter, they will be renewed for 3 years.
7. Customs Brokers should apply for the renewal of the photo identity cards at least 15 days prior to the expiry of the validity of the ID cards and they may retain the unexpired ID cards till its expiry date which should be surrendered while receiving the renewed ID cards from the CB section. **Sevottam acknowledgement of application for renewal/fresh ID cards is not a substitute to Form H cards.** No employee of a CB will be allowed to do Customs work if his ID card has expired.

Form 'F' cards to persons qualified under Regulation 9 of CHALR 1984 or Regulation 8 of CHALR 2004 :

8. Many persons who have qualified under Regulation 9 of CHALR 1984 or Regulation 8 of the CHALR 2004 have not obtained Photo Identity Cards in Form 'F' as per CBLR, 2013. All such persons are advised to obtain Form F cards after submitting the proof of passing the examination conducted under the Regulation 9 of CHALR 1984 or Regulation 8 of the CHALR 2004 in original as per Regulation 17(7) (i) if they continue to processing Customs work in this Commissionerate.

Display of Identity Cards:

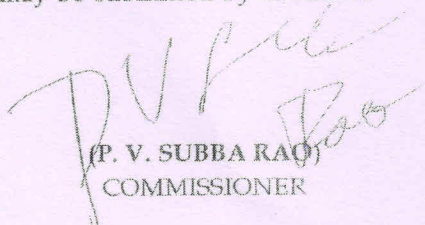
9. The Customs Brokers and their employees should display their original Form F/ Form G/ Form H Identity Cards at the times while processing the Customs work. Instructions have been issued to officers not to entertain anyone claiming to be the Customs Broker or their employee who does not have a valid ID card.

Indication of H card details of CB's employee presenting goods in the examination report

10. As already mentioned in Sl. No. 4, 5, 8, 9 and 10 of the Facility Intimation No. 09/2013-Cus dated 03.07.2013 the customs officers should specify the ID card No. of the card holder who presented the goods for examination in the examination report.

Annual list of the ID card holders:

11. Employees of the Customs Brokers often switch jobs; in order to keep track of the employees working in each CB and the CB with whom each card holder is working, it is essential that the data is reconciled. Therefore, all the CB should submit by 15th of January every year a list of the Photo - ID card holders working with them as per Annexure II. For the current calendar year, the list may be submitted by 15 March 2015.


(P. V. SUBBA RAO)
COMMISSIONER

Copy submitted to:

The Chief Commissioner of Customs (Prev), Trichy

Copy to:

- 1) The Commissioner of Customs (Sea/ Air), Custom House, Chennai
- 2) The Assistant Commissioner of Customs, St John ICD, Tuticorin
- 3) The Superintendents of Customs, All CFS/Docks under Custom House, Tuticorin
- 4) The Public Relations Officer, Custom House, Tuticorin
- 5) Commissionerate Website
- 6) Notice Board, Custom House, Tuticorin
- 7) Tuticorin Customs Broker Association, Tuticorin

To be typed on Stamp Paper of Rs.100
and duly notarised by notary.

AFFIDAVIT

We M/s. holding CB licence No. valid upto..... (PAN No.....) hereby declare that Shri/Smt....., is a permanent employee working as in our CB firm and he/she is residing at Tuticorin.

His/her antecedent and identity was verified at the above declared address, nothing adverse has been noticed against him/her.

He/she has passed the minimum educational qualification of 10 + 2, or equivalent. In this regard, the original 10th mark sheet and certificate of the above said employee was verified and confirmed. The original certificate of the said employee will be produced on demand for verification by the department failing which appropriate action may initiated against us as per CBLR, 2013.

It is declared that the above mentioned staff has not involved in any fraudulent activity and he/she has not been suspended or blacklisted or denied permission to work in any section of the Tuticorin, Custom House.

Further, it is declared that the undersigned is competent and authorised by the CB to submit this affidavit to the Customs Department.

(Signature of the Authorised Signatory with name and seal)

**LIST OF DOCUMENTS TO BE ENCLOSED WITH REQUISITION LETTER FOR PHOTO
IDENTITY CARDS IN FORM 'H'**

1. Covering letter of CB
2. **Annexure – I** for each employee of the CB
3. Attested copy of 10th Mark Sheet.
4. Attested copy of certificate for proof of passing educational qualification + 2, or equivalent.
5. Attested copy of Transfer certificate with Identity Marks.
6. Attested copy of for the proof of address and Identity like Voters ID/Driving Licence/Ration Card/Passport, etc.
7. Curriculum Vitae of the employee with details of Form 'H' in the erstwhile CB, if any.

To be typed on Stamp Paper of Rs.100
and duly notarised by notary.

POWER OF ATTORNEY

I/We, the undersigned Proprietor/Partners/Directors of M/s.
..... situated at, holding CB licence No.
..... valid to..... (PAN No.....) Indian resident & carrying on
Customs Broker business in the name & Style of M/s.

WHEREAS, I/We are desirous of appointing Shri/Smt..... Indian
inhabitant to be our true & lawful Attorney for our firm, M/s. & on
behalf of the said concern/firm/company or other to do, execute and perform the following acts,
and deeds, matters & things.

NOW KNOW THAT I/We, the said Proprietor/Partners/Directors of M/s.
..... hereby nominate, constitute and appoint the said
Shri/Smt..... (hereinafter called the Attorney) to be true and lawful
Attorney of the firms M/s& in the name of & on behalf of the
firm or otherwise to execute and perform the following matters & things on behalf of the firm,
this :-

1. To sign on behalf of the firm all the documents such as Bills of Entry, Shipping Bills for Ship store supply letters to various departments of the Custom House and all other documents required on that behalf.
2. To appear on behalf of the firm before the officers and authorities appointed under the Customs Act, 1962 (52 of 1962).
3. Generally acts and perform all acts, deeds, matters & things necessary and convenient for all or another purpose aforesaid and for giving full effect to the authorities herein before contained as fully & effectually as I/we as Proprietor/Partners/Directors of the said concern/firm/company could do.
4. To do all other acts and things which may be necessary to be done for rendering these Presents valid and effect usually to all intents and purposes according to the laws and Customs of India. And hereby agree to rectify and confirm whosoever the said Attorney Shall do in the premises by virtue of these Presents.
5. To request ID cards from the Customs for the employees of M/s..... and to give declaration as per Annexure – I.

IN WITNESS WHEREOF I/WE HEREUNTO SET MY HAND AT TUTICORIN THIS DAY OF

Signature of Proprietor/ Managing Partner/ Managing Director

SIGNED AND DELIVERED BY
The within named Proprietor
/Partners/Directors

Specimen Signature of the employee

- 1.
- 2.

To be typed on Stamp Paper of Rs.100
and duly notarised by notary.

AFFIDAVIT

I, Shri/Smt..... S/o. Aged years residing at
..... Tuticorin. Do hereby solemnly and sincerely affirm and state as
follows.

1. I am the (designation) of M/s..... do hereby state and confirm that, I have been authorised by the Proprietor/Partners/Directors of M/s..... to be their authorised signatory of the CB in terms of regulation 17(5) of the CBLR, 2013.
2. I am a citizen of India;
3. I am a person of sound mind.
4. I am not adjudicated as insolvent;
5. I am neither been convicted by a competent court for an offence nor any criminal proceeding is pending against him in any court of law.
6. I have not been penalised for any offence under the Act, the Central Excise Act, 1944 and the Finance Act, 1994
7. I am not a signatory of any other company as qualified person of regulation 6 or 17(3) of the CBLR, 2013.

Solemnly and sincerely affirmed the contents
at tuticorin. Thisday of 2015
and signed his name in my presence

DETAILS OF THE PHOTO IDENTITY CARD HOLDERS AS ON.....

| S.No. | Name of the Card Holder | Date of Birth | Card Type & No. (F/G/H) | Valid Upto |
|-------|-------------------------|---------------|----------------------------|------------|
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DECLARATION

It is declared that the above persons were not involved in any fraudulent activity and they have not been suspended or blacklisted or denied permission to work in any section of the Tuticorin, Custom House.

(Signature of the Authorised Signatory with name and seal)