

Members of the Council

Sub : Issuance of Textile Certificates by CLE

Dear Member

We would like to inform that Para 10 of General Notes of ITC (HS) Classification regarding Import Policy states the following with regard to import of Textile and Textile Articles.

Rule No. 10 of General Notes regarding Import Policy

10. Textile and Textile Articles Containing Hazardous Dyes:

I. Import of textile and textile articles is permitted subject to the condition that they shall not contain any of the hazardous dyes whose handling, production, carriage or use is prohibited by the Government of India under the provisions of clause (d) of subsection (2) of Section 6 of the Environment (Protection) Act, 1986 (29 of 1986) read with the relevant rule(s) framed thereunder. For this purpose, the import consignments shall be accompanied by a pre-shipment certificate from a textile testing laboratory accredited to the National Accreditation Agency of the Country of Origin. The details of Accredited Agencies are available in: <http://ilac.org/signatory-search/?q=all>

II. In cases where such certificates are not available, the consignment will be cleared after getting a sample of the imported consignment tested & certified from any of the agencies

- (i) Textiles Committee of Ministry of Textiles (<http://textilescommittee.nic.in/>) and its various testing facilities,
- (ii) Central Silk Technological Research Institute (CSRTI) (located at Bengaluru, Karnataka) and Eco Testing Laboratory Central Silk Technological Research Institute (located at Bhagalpur, Bihar, and Varanasi Uttar Pradesh); of the Central Silk Board (the details can be accessed from the website of the Central Silk Board: <http://csb.gov.in>). The sampling will be based on the following parameters:

a. At least 25% of samples are drawn for testing instead of 100%.

b. While drawing the samples, it will be ensured by Customs that majority samples are drawn from consignments originating from countries where there is no legal prohibition on the use of harmful hazardous Dyes.

c. The test report will be valid for a period of six months in cases where the textile/textile articles of the same specification/quality are imported and the importer, supplier and the country of origin are the same.

III. However, the above procedure at 2. I and II, regarding testing of Textiles and Textile Articles for presence of Azo Dyes, will not be applicable for imports originating from the countries as listed in Appendix-2X of Appendices and Aayat Niryat Forms of FTP 2015-20, where the use of Azo Dyes in Textiles and Textile Articles is banned.

Vide Public Notice No.32/2015-2020 dated 04.09.2015 read with DGFT Notification No. 19/2015-20 dated 4th Sept. 2015 and Public Notice No:10/2015-2020 dated 18th May 2016 (copies enclosed), DGFT has stated that testing of textiles and textile articles for presence of AZO Dyes will not be required for imports originating from the following countries:

- 1) European Union (EU) Countries
- 2) Serbia
- 3) Poland
- 4) Denmark
- 5) China
- 6) Australia
- 7) Canada
- 8) Japan; and
- 9) South Korea

CLE has been issuing Textile Certificate upon request by members/as per requirement of Customs, in accordance with the DGFT Policy Circular No.5 dt.29.5.2003 (copy enclosed), as per which Council for Leather Exports (CLE) has been nominated as a “Certifying Agency” to issue Certificates to its members for clearance of import of textile and textile articles by the manufacturer-exporters of leather products, subject to the following conditions stipulated in the aforesaid DGFT Policy Circular.

- Council members have a valid RCMC on the date of issue
- Importers are registered with the Council as manufacturer exporters in terms of Exim Policy Provisions.
- Items of imports are meant for manufacture of export products only and cannot be sold/transferred to units in DTA.

The aforesaid TEXTILE CERTIFICATES of CLE are issued to manufacturer exporters of leather products, footwear, leather garments etc., registered with Council to facilitate clearance of import consignments of textile and textile articles used as inputs in manufacturing of export products, upon submission of an affidavit (format given below) .

Members may kindly note that the fee for issue of CLE Textile Certificate Fee is Rs.2000/- + 18% GST i.e. Rs.2360/- per certificate. The payment can be sent to the following bank account of CLE. Kindly send the payment confirmation details to CLE along with the application form.

Account Holder Name	COUNCIL FOR LEATHER EXPORTS
Account Number	0976101016996
Bank Name	CANARA BANK
Bank Address	53 SYNDENAMS ROAD, PERIAMET, CHENNAI-3
IFSC NUMBER	CNRB0000976
Swift Code	CNRBINBBMDP

Copy of the application form and affidavit are given below for your ready reference.

Members may please note that in respect of Affidavit, members may submit only one Notarised Affidavit for the entire financial year during the submission of first application of Textile Certificate. There is no need to submit notarized affidavit during every application.

Thanks and regards

R. Selvam
Executive Director

APPLICATION FORM FOR ISSUE OF CLE TEXTILE CERTIFICATE

(in company letter head)

To:
Council for Leather Exports

Date:

Dear Sir,

Sub: Issue of Certificate for importing textile and textile articles meant for Export production

Ref: DGFT Policy Circular No.5 dated May 29, 2003

With reference to above, we wish to state that we are importing textile and textile articles falling under Chapter 50 to 63 of the ITC (HS) Classifications of Export & Import items, which are meant for use in manufacturing of leather products for export. A copy of the Checklist Bill of Entry No..... dated..... giving the description of the import product and its ITC (HS) code is enclosed for your ready reference.

We fulfill the following three criteria specified in the DGFT policy circular:

1. We are members of the Council having RCMC No. _____ which is valid up to
2. We are registered with the Council as manufacturer-exporters in terms of Foreign Trade Policy Provisions.
3. The items mentioned in the enclosed B/E are imported only for using in the manufacture of for export, and the same will not be sold / transferred to units in DTA.

As such, we request you to issue certificate to facilitate customs clearance of the import consignments specified in the enclosed B/E.

We also hereby undertake that we are submitting the original Affidavit sworn before Notary Public to the effect that the import consignment is meant for export production, at the time of our first application for Textile Certificate this financial year.*

Or

We also hereby undertake that we have submitted the original Affidavit sworn before Notary Public to the effect that the import consignment is meant for export production, at the time of our first application for Textile Certificate this financial year.*

(*Strikeout whichever is not applicable)

We hereby confirm and declare that the statement made above is true and correct to the best of our knowledge. We understand and agree that in the event of above statement being found to be incorrect or false, we will be liable for any penal action that may be taken by Council for Leather Exports or Government of India under the relevant rules.

We understand fully that any violation of the conditions of the DGFT / Council's circular referred above shall be construed as malpractice, and will render us liable to penal and / or any action under relevant Rules / Acts as may be applicable, and that such action may be restored to against us without any opportunity or show cause notice to us and we hereby indemnify Council for Leather Exports from any such action on account of misuse / violation of condition as aforesaid.

Thanking you,
Yours faithfully,

Name / designation of the representative

Company Seal

Encl:

- 1) Copy of the Checklist Bill of Entry
- 2)** Payment confirmation details of Certification fee of Rs.2000/-
- 3)** Affidavit (if this is the first application for issue of Textile Certificate in this financial year

(Ten Rupees Stamp Paper)

AFFIDAVIT

This is with reference to our application to the Council for Leather Exports submitted in accordance with DGFT Policy Circular No.5 dated May 29, 2003, in connection with our import of textile and textile articles falling under Chapter 50 to 63 of the ITC (HS) Classification of Export & Import items, which are meant for use in manufacture of leather products for export.

We hereby undertake that the textile and textile articles being imported by us **during 2023-24**, is for use in the production of for export. We also declare that the said materials will not be sold / transferred to units in Domestic Tariff Area (DTA).

We understand fully that any violation of the conditions of the DGFT / Council's circular referred above shall be construed as malpractice, and will render us liable to penal and / or any action under relevant Rules / Acts as may be applicable, and that such action may be restored to against us without any opportunity or show cause notice to us and we hereby indemnify Council for Leather Exports from any such action on account of misuse / violation of condition as aforesaid.

Signature of the authorized representative

Name/designation of the representative

Company Seal

Date :

Place :