

**Appendix 39-A**

**APPLICATION FOR FREE SALE & COMMERCE CERTIFICATE FOR ITEMS OTHER THAN  
MEDICAL DEVICES/INSTRUMENTS**

1. Name of the firm / Company :
2. Address of Registered Office :
- (i) Tel No :
- (ii) Fax No :
- (iii) e.mail ID :
3. Importer Exporter Code No :
- (i) Code No.
- (ii) Name & Address of issuing authority
  
4. Registration –cum-Membership Certificate (RCMC ) details
- (i) Name of the Council
- (ii) Registration No and date
- (iii) Validity
5. Brief Description of exports :
- (i) Details of foreign buyer with complete address, e.mail ID etc.
- (ii) Brief description of items to be exported under the certificate
  
6. Details of items for which Free Sale & Commerce Certificate is sought to be obtained (Annexure A to be attached duly self-certified) :
  
7. I hereby declare that items listed in Annexure A,
  - (i) are not prohibited or restricted for export under Schedule 2 of ITC (HS) and are free for export;
  - (ii) the export of the items does not violate any of the provisions of the laws/Acts established by any of the Ministries/Departments/Offices of the Central/State Governments; and

We further undertake to abide by any of the provisions under FTP, FT(D&R) Act, 1992 or any other law established by any of the Ministries/Departments/Offices of the Central/State Governments relating to export of these items.

(Signature)  
Name & Designation of the Authorized Signatory  
Seal of the Company

**DECLARATION / UNDERTAKING**

1. I / We hereby declare that the particulars and the statements made in this application are true and correct to the best of my / our knowledge and belief and nothing has been concealed or held there from.
2. I / We fully understand that any information furnished in the application if found incorrect or false will render me / us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.

3. I / We undertake to abide by the provisions of the FT (D & R) Act, 1992, the Rules and Orders framed there under, FTP, HBP v 1 and HBP v2 and ITC (HS).
4. a. I / We hereby certify that the firm / company for whom the application has been made has not been penalized under Customs Act, Excise Act, FT (D & R) Act 1992 and FERA / FEMA.
  - b. I / We hereby certify that none of the Proprietor / Partner(s) / Director(s) / Karta / Trustee of firm / company, as the case may be, is / are a Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / Company which has come to adverse notice of DGFT.
  - c. I / We hereby certify that the Proprietor / Partner(s) / Director(s) / Karta / Trustee, as the case may be, of the firm/company is / are not associated as Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / company which is in the caution list of RBI.
  - d. I / We hereby certify that neither the Registered Office / Head Office of the firm/company nor any of its Branch Office(s) / Unit(s) / Division(s) has been declared a defaulter and has otherwise been made ineligible for undertaking import / export under any of the provisions of the Policy.
5. I / We hereby declare that I / We have not obtained nor applied for such benefits (including issuance of an Importer Exporter Code Number) in the name of our Registered / Head Office or any of our Branch(s) / Unit(s) / Division(s) to any other Regional Authority.
6. I / We hereby declare that I/we have perused the list of SCOMET items as contained in the Appendix 3 to the Schedule 2 of the ITC (HS) and that the item(s) exported / proposed to be exported does not fall within this list and that I / We agree to abide by the provisions of FTP for export of SCOMET items contained in the FTP, Schedule 2 of ITC (HS) and the HBP v1, irrespective of the scheme under which the item is exported / proposed to be exported.
7. I / We solemnly declare that I / We have applied for / obtained a RCMC to the EPC which pertains to our main line of business. In case we have applied to any other council, the application has been made within the purview of the provisions of Para 2.67 and Para 2.67.1 of the HBP v1.
8. I hereby certify that I am authorized to verify and sign this declaration as per Paragraph 9.9 of the Policy.

Place  
Date

Signature of the Applicant  
Name  
Designation  
Official Address  
Telephone  
Residential Address  
Email Address

**Note:** This form with Annexure-A may be submitted without other parts of the Aayat Niryat Form.

**Annexure – A**

**Proforma for Submission of list of Products  
(May be clearly typed)**

| S. No. | Name of Product | ITC (HS) Code | Manufacturers / Exporters name and address | Is the product licensed under the provisions of the laws / Acts established by any of the Ministries / Departments / Offices of the Central / State Governments for manufacture and sale, and if so please specify | Description of the product including use (attach literature, if required.) |
|--------|-----------------|---------------|--|--|--|
|        |                 |               |  |  |  |

**Annexure – B**

Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Foreign Trade

**FREE SALE AND COMMERCE CERTIFICATE**

The items as per Annexure (Total items) manufactured by M/s. (Name of the firm & full address) are freely sold in India and are freely exportable.

This certificate is valid for a period of two year from the date of issue.

Encl: As above.

Place:

Date:

Director General of Foreign Trade

**Note:** This certificate is based on declaration by the above firm that items of export shown in Annexure are neither restricted nor prohibited for export.