

Government of India
Ministry of Commerce and Industry
Directorate General of Foreign Trade
Udyog Bhavan, New Delhi-110011

Policy Circular No. 6 (RE-2013)/2009-2014

Dated the 16th September, 2013

To
All Regional Authorities.
All Development commissioners, SEZ.
All Custom Authorities.
All Export Promotion Councils/Commodity Bodies.

Subject: Use of Importer-exporter Code Number allotted to them by the importers/exporters

It has been brought to the notice of this Directorate that some importers/exporters are effecting imports/exports by using IECs issued to others which is a complete violation of provisions of Foreign Trade Policy.

2. As per the Section 7 of The Foreign Trade (Development and Regulation) Act, 1992, as amended in 2010 read along with Rule 12 of Foreign Trade (Regulation) Rules, 1993 every person should make import or export only with Importer-exporter Code Number allotted to him. This has been further amplified by Para 2.9.2 of Handbook of Procedures, Vol.1, 2009-14 which states that an IEC number allotted to an applicant is valid for all its branches / divisions / units / factories. Therefore, the IEC Number cannot be used by anyone other the IEC holder himself/herself.

3. In view of the above, use of IEC by the person other than IEC holder himself is a violation of the above provisions and would attract action under Section 8 and 11 of The Foreign Trade (Development and Regulation) Act, 1992, as amended in 2010, except in case importers or exporters are exempted from obtaining IEC and who use permanent (common) IEC Numbers under Para 2.8 of Handbook of Procedure, Vol.1, 2009-14.

4. Therefore, importers/exporters as well as all other stake holders are cautioned to comply with the provisions of FT(DR) Act and Rules made thereunder while using their IEC Number. Non-compliance/violation of these provisions would attract action in the form of suspension/cancellation of IEC or imposition of penalty, as appropriate, under the relevant provisions of FT(DR) Act and Rules.

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