

Public Notice No.19 /2006

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE
OFFICE OF THE COMMISSIONER OF CUSTOMS
CUSTOM HOUSE, NEW HARBOUR ESTATE, TUTICORIN – 628 004
PUBLIC NOTICE NO. 20/2006

The verification procedure for Digital Signature Certificate enrolment by public received from iCERT, New Delhi is enclosed herewith for guidance of the importers / Exporters / Clearing Agents and Trading Public.

(Issued from file C.No. VIII/09/2/2006 - Cus Pol)

Dated : 15.09.2006

Custom House, Tuticorin

(M.N. DHAR)
JOINT COMMISSIONER

Verification Procedures for Digital Signature Certificate enrolment by the public

1. What is iCERT:

iCERT CA is the Certifying Authority of the Central Board of Excise and Customs (CBEC) which has been licensed by the Controller of Certifying Authorities under the Information Technology Act 2000 for issuing Class III Certificates. iCERT CA is established by the Central Board of Excise & Customs under the aegis of Department of Revenue, Ministry of Finance, Government of India. iCERT CA issues Digital Signature Certificates as per the Information Technology Act 2000 to CBEC's trading community, its officers and related agencies. iCERT CA functions as a separate unit under the Directorate of Systems, Customs & Central Excise, which is a subordinate office of the CBEC.

2. What is a Registration Authority and its functions:

A. The Registration Authorities working under iCERT CA is the interface between the iCERT CA and the applicants of Digital Signature Certificate. They perform, on behalf of iCERT CA, the functions such as:

- i. Receipt of application for the issuance of the iCERT Digital Signature Certificates and verification of relevant information;
- ii. forwarding appropriate requests along with their recommendation to iCERT CA for issuance or revocation of Digital Signature Certificates
- iii. Verification of the requests for revocation of digital signatures as received from the iCERT CA.
- iv. Notifying the applicant about the issuance/revocation of Digital Signature Certificate.

The details of the obligations of the RA have been provided specifically in the para 2.1.2 of the CPS of the iCERT CA as well.

B. There are 5 RA (Registration Authority) situated at Mumbai, Kolkatta, Chennai, Bangalore and Delhi . These RAs have their verification teams located in each of the Central Excise Commissionerates. The jurisdiction of the Verification team extends over those applicants whose principal office is located within the territorial jurisdiction of the jurisdictional Central Excise Commissionerates. These verification teams handle the task of verification of the information provided by the applicants of the Digital Signature Certificate.

3. What are the types of Certificates issued by iCERT CA:

iCERT CA issues Class 3 Digital Signature Certificate to its subscribers which provide assurances of the identity of individual subscribers. These certificates are issued after conducting various documentary and physical checks on name, address, E-mail, enrolment information and identification documents so as to ensure confirmation of identity of the

applicant and his public key. This category of Certificates would be relied upon in E-Commerce transactions with the department. Verification Procedure for Digital Signature Certificate Enrollment by Public. These certificates are being issued only after the identity and antecedents of the applicant are verified with reference to records as well as by physically visiting his premises by the officers of the iCERT Verification Team. It should also be noted that there could be only one person applying for one Digital Signature Certificate. All applications bearing the names of more than one person as applicant shall be summarily rejected. However, one business entity can apply for more than one Digital Signature Certificate.

4. What is fee payable by the applicant:

Subscription is a one-time activity for a Certificate of 2 year validity from the date of issuance and would involve a nominal fee which has been fixed at Rs 100. However, charging of such fee for issue/re-issue of Digital Signature Certificate is waived by the CBEC till 30.09.2006. Registration fee would however be charged thereafter. In this regard, members of the Trade are advised to go through the details of the subscription process provided in the annexure to this public notice.

5. Who can apply for Digital Signature Certificate issued by iCERT CA:

The iCERT CA issues Digital Signature Certificates to CBEC's trading community, its officers and related agencies. This community includes:

(a) Importers and Exporters; Custom House Agents; Airlines, Shipping Lines and their agents;

(b) Custodians of imported cargo; Directorate General of Foreign Trade (DGFT); Directorate General of Commercial Intelligence and Statistics (DGCIS); Export Promotion Councils;

Banks; Reserve Bank of India ;

(c) Central Excise Assesses; and

(d) Service Tax Assesses.

6. What is Minimum System Requirement needed by the applicant:

The following minimum specifications are recommended for the subscriber's computer to complete the web subscription process:

SI. No Software particulars Specifications

1 Browser Netscape 8.0 & above.

2 Operating System MS Window 2000 (SP4) /XP (SP2) or above

7. What is Enrollment Procedure :

The applicant shall submit the application in the following manner: -

i. On the website of iCERT CA the applicant shall submit his application online by accessing the URL, i.e. <https://www.icert.gov.in> and fill up the application form hosted there. On the receipt of the application, a unique 'request-id' would be generated by the RA Web application, which should be noted down by the applicant. This unique 'request-id' would be used for all future references and communications between the CA, RA (including Verification Teams) and the applicant.

ii. While submitting the details on website, the applicant shall ensure that he uses the same PC and same browser to download the Certificate, on receipt of link from iCERT Verification Procedure for Digital Signature Certificate Enrollment by Public ver.2.0 Dated 31.07.06 CA and the private keys of the public key submitted to the iCERT during web subscription process is not lost or compromised. The subscriber must take the precaution and ensure that during the period between web subscription and the issuance of the certificate the private keys are not lost on account of formatting of the hard disk of the PC from with the subscription was completed, clearing of the master password of the Netscape Browser or up-gradation of the PC operating system.

8. What are the documents need to be submitted and to whom same shall be submitted:

i. After enrolment electronically, the applicant shall send by post or by hand delivery, to the concerned RA and photocopies to the respective Verification Team, the following documents:

I. Signed copy of the web application form submitted on line.

II. Two colour passport size photographs.

III. Duly signed Subscriber's Agreement in original on a non-judicial stamp paper of appropriate value.

IV. Digital Certificate fees, if any.

V. Authorization letter from the company/firm/establishment, if applicant is applying on behalf of the company/firm/establishment.

VI. Self attested copies of the following documents (at least one document from each of the following four categories):

a) Permanent Account Number Card issued by the Income Tax Department (optional in respect of individual who is applying on behalf of the company);

b) Passport, VISA details (in case the applicant is a Foreign National), Voter Identity Card or Electricity Bill;

c) Import Export Code Certificate, Customs House Agents Licence, Central Excise Registration Certificate, Service Tax Registration Certificate, Steamer/Shipping Agent Registration Certificate, Company Registration Certificate, Identity Card issued by any Government Agency or BIN number Certificate; and

d) Current Bank Account Statement or Bank Passbook extracts containing only page of any one Bank Account Statement/Passbook showing name and address of the accountholder and the pages containing current ten transactions; (In case of individuals applying on authorization from a Company/ Partnership Firm/Body of Individuals/Association of Persons/Local Authority, the requirement of submitting his personal current Bank Statement/Passbook is discontinued).

ii. In case of Company/ Partnership Firm/Body of Individuals/Association of Persons/Local Authority, self attested copies of the following documents are also required to be sent, in addition to the above mentioned documents:

I. Registration Certificate;

II. Certificate of Incorporation, Memorandum and Article of Association or Partnership deed;

III. Balance Sheet/Profit & Loss Account statement of the last financial year (preferably duly audited)[It is clarified that only Balance Sheet/P&L A/C statement for last financial year, available, need to be submitted];

IV. Current Bank Accounts Statements/Passbook extracts containing only page of any one Bank Account Statement/Passbook showing name and address of the accountholder and the pages containing current ten transactions, and

V. Permanent Account Number Card issued by the Income Tax Department. On receipt of the documents from the applicant, the RA Agent shall examine the same and shall acknowledge its receipt thereof through a confirmatory e-mail/fax/telephone. It is clarified that only documents, that are mentioned above or are prescribed by iCERT from time to time, need to be asked from the applicant. During verification the RA/Verification Team staffs have been instructed not to ask for any additional document from the subscriber. It is clarified that the purpose of asking for documents from the applicant is only to establish his identity and existence and not for the purposes of undertaking any financial enquiry / survey. The subscriber must note that the application is liable to be rejected, if the required documents are not submitted with respective RA/Verification Team within 15 days of web enrolment.

9. Whether applicant is required to visit the iCERT CA/RA/Verification office and when:

No, the applicant would not be required to visit the iCERT CA/RA/Verification office either for the purposes of verification or for obtaining their digital signature certificates.

The iCERT class 3 Digital Signature Certificates would be issued only after the identity and antecedents of the applicant are verified with reference to records as well as by physically visiting his premises by the officers of the Verification Team.

i. On receipt of the applicant's information, the head of the Verification Team i.e. the concerned Assistant Commissioner shall mark the case to one of the Superintendents for verification of the antecedents of the applicant. The applicant shall be informed about the visit of the officers of the Verification Team to his office premises through a confirmatory e-mail/Fax/Telephone. The applicant should be asked to be present at the premises to be

visited on an agreed date of visit. The visiting team shall at least consist of one superintendent and one Inspector.

ii. The visiting officers shall carry with them the copies of the documents received from the applicant and they shall perform the following checks:

a) Confirm the existence of the declared business/activity from the declared premises.

b) Confirm the ownership of the business/activity and the veracity of the business premises.

c) Confirm the business addresses declared in the application form.

d) Confirm the identity of the subscriber by tallying his physical particulars with those appearing in the documents and photographs

e) Confirm the authenticity of the submitted documents by comparing them with the originals Thereupon, the visiting officers shall fill up the part-1 of Verification Report in the prescribed proforma. The Superintendent shall also compare the copies of documents received by post with the original documents and shall enter his remarks in the part-2 of the Verification Report. After verification, the original documents shall be returned to the applicant. This process of verification shall be completed within 5 working days from the date of receipt of the applicant's documents.

iii. Thereafter, the Superintendent shall submit the Verification Report to the Assistant/Deputy Commissioner in charge of the Verification Team who shall forward the verification report along with his comments and the documents to the RA. A soft copy of the Verification Report digitally signed by the Verification Team shall also be mailed to the RA Officer/Agent.

iv. During the verification process, if any discrepancy is noticed, the applicant shall be informed accordingly and he shall be provided with an opportunity for rectification.

The purpose of sending digitally signed report over the email (as mentioned in para 9(iii) above) is to allow for speedier communication of verification reports to the RA using email since postal messages from the verification teams usually take a longer time to reach the RAs. Thus, it is hereby clarified that even if the verification team does not send a digitally signed report to the RA, the RA can process the subscriber's application on the basis of the hard copies of the verification report received from the verification teams. Conversely, the RA can process the subscriber's application solely on the basis of the digitally signed verification report from the verification teams even if the hard copies of the verification report has not been received by the RA. However, the RA must preserve the digitally signed reports/messages so as to enable verification of the process at the time of audit. The Verifying Teams shall not keep any documents / information collected from the applicant and shall forward all the documents/information so collected alongwith its verification report to the RA office.

10. Whether Applicant shall be informed in case of any discrepancy and how:

Yes, on receipt of the verification report, the RA Agent shall examine the report, the documents sent by applicant and the documents received from Verification Team. The details mentioned in these documents should be tallied with the data residing in the web application form. In case of discrepancy the applicant shall be informed accordingly and he shall be provided with an opportunity for rectification. In case any substantive discrepancy is noticed during the verification process or in the documents received on line or through post, they shall decide as to whether the discrepancies are serious enough for the application to be rejected. In case of approval of the application, the RA Agent shall send the Certificate signing request online to iCERT CA. The CA System on receipt of such Certificate Signing Request shall acknowledge the receipt of the Certificate Signing Request and generate a request id which shall be automatically communicated to the RA Agent. This request id would be used to track the request status with CA Agent. In case of rejection of the application, the RA Agent shall inform the applicant accordingly by e-mail. In case, some clarification is required by CA Agent, the RA shall furnish the same within a period of two days from the receipt of the query.

11. How many days will it take for applicant to get the certificate after submitting the Web Form:

Generally, the applicant shall get the Digital Signature Certificate within 10 days of receipt

of Enrolment Form along with requisite documents as mentioned above, by the RA/Verification Team. In case of delay, the applicant may contact the iCERT CA officials at the contact number provided hereunder. The applicant is also advised to check its email regularly and be in touch with its respective RA Office.

12. Issue of Digital Signature Certificate:

The CA Agent shall dispose off the Certificate Signing Request as per the procedures laid down from time to time. The applicant shall receive the link through an email to download the Digital Signature Certificate. The applicant shall ensure that for downloading the Certificate, he uses the same PC and same browser on which he had submitted the application.

13. What is the procedure for Revocation/Suspension Requests:

For Revocation or Suspension of Digital Signature Certificates, the subscriber may use the proforma available on URL <https://www.icert.gov.in> and submit the request for revocation/suspension of the Digital Signature Certificate with jurisdictional Registration Authority. The request for revocation of the Digital Signature Certificate can be submitted through email revocation.icert@icegate.gov.in. The request for suspension of the Digital Signature Certificate can be submitted through email suspension.icert@icegate.gov.in. The CA Agent shall immediately verify the revocation /suspension request and immediately, inform the RA Agent of such receipt of the subscriber's request for immediate verification and submission of its report to the CA. Meanwhile, the CA Agent shall immediately, on receipt of revocation/suspension request, take action to suspend such certificate. The action for suspending the certificate shall be completed immediately but not later than one day. The RA Agent shall proceed to confirm the request by contacting the subscriber over phone and email. Thereafter, the RA Agent shall submit his report to CA Agent over email for further action regarding revocation of the Digital Certificate. The action of revocation of the certificate shall be completed within 2 days but not later than 15 days from the date of receipt of such request from the subscriber.