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SECTION-I)**

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE**

**PUBLIC NOTICE No. 34/2015-2020
NEW DELHI, DATED THE 24 October, 2017**

Sub: Onetime relaxation for EO extension and clubbing of Advance Authorisations - reg

In exercise of powers conferred under Para 2.04 and 2.58 of the Foreign Trade Policy 2015-2020, as amended from time to time, the Director General of Foreign Trade on recommendation of Policy Relaxation Committee (PRC), in public interest, hereby makes the following one time relaxations in the provisions of extension of export obligation period and clubbing of advance Authorisations.

1. Facility of Clubbing of Advance Licences/Authorisations:

Onetime relaxation of Para 4.38(i) of Handbook of Procedures 2015-2020, for clubbing of Advance licenses / Authorisations issued under Foreign Trade Policy 2002-2007 and 2004-09 is hereby permitted. Request for clubbing shall be made in ANF-4C to the respective RAs along with prescribed documents. RA shall process the cases as per Para 4.38 of Handbook of Procedures 2015-2020. **The last date for submission of such application shall be 31.3.2018.** Any applications received in RA, after 31.3.2018 shall not be entertained for clubbing and case shall be regularized either under Para 4.49 of HBP or by initiation of adjudication proceedings on or before 31.05.2018 positively.

No clubbing shall be permitted in respect of Authorisations where misrepresentation / fraud have come to the notice of RA. Further, no clubbing of Authorisations, where EODC/redemption letter has already been issued or adjudication orders have already been passed by RA/Customs Authority, shall be permitted.

2. Extension of Export Obligation Period:

Onetime relaxation is provided for extending Export Obligation (EO) period subject to the conditions specified below.

Exports made under Advance Licences/Authorisations issued under Foreign Trade Policy 2002-07, Foreign Trade Policy 2004-2009 and Advance authorisations issued prior to 5.6.2012 under Foreign Trade Policy 2009-14 shall be regularized by way of extension of Export Obligation Period, as per the procedure prescribed below:

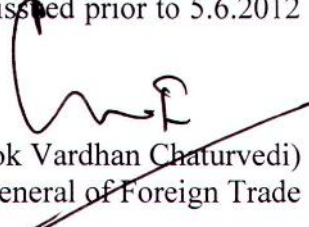
- a. Where exports have been made within 36 months from the date of issue of Advance Licences / Authorisations, same shall be regularized without

insisting for any composition fee, except the cases where authorizations issued under Policy circular No-9 dated 30.6.2003/ or items covered under Appendix-30 A of HBP 2004-09/ HBP 2009-14.

- b. For the exports made after 36 months but within 48 months shall be regularized on payment of composition fees as follows:
 - i. @ 0.5% per month of FOB value of exports made after 36 months but within 42 months
 - ii. @ 1% per month of FOB value of exports made after 42 months but within 48 months
- c. For Authorisations issued under Policy circular No-9 dated 30.6.2003 or inputs covered under Appendix-30A of HBP 2004-09 / HBP 2009-14: Extension of export obligation period can be granted for a period equivalent to half of the stipulated initial export obligation period on payment of composition fee as follows:
 - i. @0.5% per month of FOB if exports made within initial export obligation period is more than 50% of stipulated EO.
 - ii. @ 1% per month of FOB if exports made within initial export obligation period is less than 50% of stipulated EO.
- d. Request for extension of Export obligation period shall be filed in respective RAs, **on or before 31.3.2018**. Any applications received after 31.3.2018 shall not be considered as per this Public notice.
- e. Only shipping bills which bear file number/ Advance Authorisation number in question shall be taken into account. No free shipping bills shall be allowed to be accounted.
- f. No extension in EO would be allowed in respect of Authorisations where misrepresentation / fraud have come to the notice of RA. Further, no extension of Authorisations, where adjudication orders have already been passed by RA/Customs Authority, shall be permitted.

Effect of this Public Notice:

One time relaxation is provided for Clubbing of advance Authorisations issued during foreign trade policy 2002-07 and foreign trade policy 2004-09. One time relaxation is provided for extension of export obligation period of Advance authorizations issued under Foreign Trade Policy 2002-07, Foreign Trade Policy 2004-2009 and Advance Authorisations issued prior to 5.6.2012 under foreign trade Policy 2009-14.


(Alok Vardhan Chaturvedi)
Director General of Foreign Trade

(Issued from File No 01/94/180/186/AM18/PC-4)

(To be Published in the Gazette of India Extraordinary Part I, Section - I)

Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan

Public Notice No. 35/2015-20
New Delhi, Dated the 25th, October, 2017

Subject: Onetime condonation of time period in respect of obtaining block-wise extension in Export Obligation period under EPCG Scheme.

In exercise of powers conferred under Paragraph 2.04 read with Paragraph 2.58 of FTP 2015-20, the Director General of Foreign Trade in Public interest hereby makes the following one time relaxations in procedures in respect of obtaining block-wise extension in Export Obligation period under EPCG scheme.

1. The EPCG authorization holders, while maintaining the average export obligation, fulfill the specific export obligation over the prescribed block period as applicable.
2. Para 5.14 (c) of the Handbook of Procedures 2015-2020 states as under:

"Where EO of the first block is not fulfilled in terms of the above proportions, except in cases where the EO prescribed for first block is extended by the Regional Authority subject to payment of composition fee of 2% on duty saved amount proportionate to unfulfilled portion of EO pertaining to the block, the Authorization holder shall, within **3 months** from the expiry of the block, pay duties of customs (along with applicable interest as notified by DOR) proportionate to duty saved amount on total unfulfilled EO of the first block".
3. The Para 5.14 (d) of the Handbook of Procedures 2015-20 specifies the governance of the relevant provisions for block-wise Export Obligation in respect of EPCG authorizations issued between 1st April 2002 and 18.04.2013.
4. In view of the time limit of 3 months prescribed in the relevant provisions, during which time the EPCG authorization holder was required to obtain the block extension in Export obligation from the RA on payment of composition fee, the RAs concerned are unable to consider such requests wherein submissions are made after 3 months. Many times such requests are for regularization of exports already made. A large number of requests for condonation of this period of non-submission within the prescribed time period for obtaining block period extension are received in the DGFT Hqrs. This has caused hardship and delay in closure of EPCG authorizations.
5. The EPCG authorization holders were required to approach RA within the prescribed period for obtaining the requisite extension on payment of composition fee or should have paid the proportionate duty to the Customs to

regularize the block-wise EO period. Therefore, as a onetime measure in relaxation of procedure, it has been decided that the RAs concerned may consider the requests for block-wise Export Obligation period extension for the requests already submitted but submitted beyond the time on payment of additional composition fee of Rs. 5000/- in addition to payment of regular composition fee as applicable. The RA may also consider the requests that may be received upto **31.03.2018** under this facility. This shall be subject to the condition that the case is otherwise in order and submission of installation certificate for the capital goods imported to the RA concerned. This facility is for EPCG authorizations issued from 1st September, 2004.

6. This facility would not be available in respect of the following cases:
- i. Where the issue is under investigation/adjudicated by RA/customs authority/ any other investigating agency.
 - ii. Where the EPCG committee has rejected such extension requests.

Effect of the Public Notice: Onetime relaxation in condonation of delay of submission for obtaining block-wise extension in Export Obligation under EPCG scheme is provided.



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(Issue from F. No. 18/42/AM-18/P-5)

Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan

Public Notice No. 36 /2015-20
New Delhi, Dated the 25th, October, 2017

Sub: - Onetime condonation of time period in respect of obtaining extension in Export Obligation period under EPCG Scheme.

In exercise of powers conferred under Paragraph 2.04 read with Paragraph 2.58 of FTP 2015-20, the Director General of Foreign Trade in Public interest hereby makes the following one time relaxations in procedures in respect of obtaining extension in Export Obligation under EPCG Scheme.

1. As per Para 5.17 (a) of the Hand book of Procedures 2015-2020 "extension in Export Obligation Period of EPCG authorization issued prior to Notification of FTP 2015-20 shall be governed by relevant provisions of HBP Vol 1 applicable on the date of issue of authorization".
2. As per Para 5.17 (c) of the Handbook of procedures 2015-20 "request for extension in Export Obligation Period shall be made to RA **within 75 days** from the date of expiry of original EO Period".
3. Where the requests for extension in Export Obligation Period (EOP) are received beyond the prescribed time period, the RAs are not able to consider such requests. Many a times, such requests are for regularization of exports already done. A large number of requests for condonation of this period of non-submission within the prescribed time period for obtaining extension in EO Period are received in the DGFT for relaxation. This has caused hardship and delay in closure of the EPCG authorizations. Hence, as a onetime measure in relaxation of procedure, it has been decided that the RAs may consider requests for obtaining extension in Export Obligation period, where requests are received as per the prescribed procedure but have not been considered due to the non-submission within the prescribed period, on payment of additional composition fee of Rs. 5000/- per authorization. Under the facility RAs may also consider the requests that may be received upto **31.03.2018**. The EOP extension would be granted as per the relevant provisions of HBP applicable on the date of issue of authorization in continuation of the original/extended expiry period, and would be subject to fulfillment of all other relevant conditions of the FTP and HBP.
4. This facility would not be available in the following cases:
 - i. Where the EPCG authorization is under investigation/ adjudicated by RA/customs authority/any other investigating agency.
 - ii. Where the EPCG committee has rejected such extension requests.

iii. The EPCG authorizations issued prior to 1st September, 2004.

iv. Where the installation certificate has not been submitted.

Effect of the Public Notice: Onetime relaxation for condonation of delay in submission of request for obtaining extension in Export Obligation period under EPCG is being provided.



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(Issue from F. No. 18/42/AM-18/P-5)

Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan

Public Notice No. 37 /2015-20
New Delhi, Dated the 25th, October, 2017

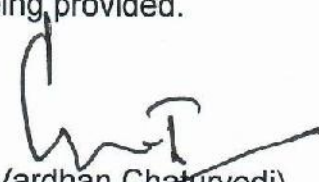
Sub: -Acceptance of installation certificate under EPCG scheme by the RAs wherein installation certificate is submitted beyond 18 months.

In exercise of powers conferred under Paragraph 2.04 read with Paragraph 2.58 of FTP 2015-20, the Director General of Foreign Trade in Public interest hereby makes the following one time relaxations in procedures in respect of acceptance of installation certificate under EPCG Scheme.

1. The EPCG authorization holders are required to submit the installation certificate showing installation of the imported capital goods to the RA within prescribed time period.
2. Para 5.04 of the Handbook of Procedures 2015-20 regarding certificate of installation of capital goods stated is as under:
 - a. Authorization holder shall produce, within six months from date of completion of import, to the concerned RA, a certificate from the jurisdictional Central Excise Authority or an independent Chartered Engineer, at the option of the authorization holder, confirming installation of capital goods at factory/premises of authorization holder or his supporting manufacturer(s). The RA may extend the said period for producing the certificate by a maximum period of another 12 months. Where a unit registered with Central Excise opts for independent Chartered Engineer's certificate, the authorization holder shall send a copy of the certificate to the jurisdictional Central Excise Authority as intimation/record.
 - b. In the case of import of spares, the installation certificate shall be submitted by the Authorization holder within a period of three years from the date of import.
3. Where the exporter is unable to submit the installation certificate within this prescribed time limit, the RA is not able to accept such certificates. Such requests for condonation are received in DORT files, which causes hardship and delay.
4. It has been decided that in relaxation of the procedure as onetime condonation, the RAs concerned may accept the installation certificate submitted beyond the time limit on payment of penalty of Rs. 5000/- per authorization to RA, subject to the following:
 - i. The capital goods have been installed within the period of 18 months from the date of imports but the installation certificate has been submitted to RA beyond 18 months from the date of import.
 - ii. The authorization holder submits to RA bonafide reasons for delay in submission of installation certificate.

- iii. The installation certificate is submitted to RA on or before 31.03.2018.
- iv. The EPCG authorization is not under investigation/ adjudicated by RA/customs authority/any other investigating agency.

Effect of the Public Notice: Onetime relaxation for condonation of delay in submission of installation certificate under EPCG Scheme is being provided.


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