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GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

**NOTIFICATION NO. 02 (RE-2013)/ 2009-2014
NEW DELHI, DATED THE 18th April, 2013**

In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) read with paragraph 1.2 of the Foreign Trade Policy, 2009-2014, the Central Government hereby notifies the following amendments in the Foreign Trade Policy 2009-2014 to be incorporated in the Annual Supplement. This shall come into force w.e.f. 18th April, 2013.

- (1) In Chapter 4 a new sub-para (d) after para 4.2.6(c) of FTP is being inserted to disallow exemption from Antidumping duty and Safeguard duty once a DFIA is made transferable. The sub para (d) to be inserted would read as under:-

“Exemption from Antidumping Duty and Safeguard Duty would be available on actual user basis only, i.e. before endorsement of ‘transferability’.”

- (2) *The word “energy” in second sentence of para 4.1.3.1 of the FTP stands deleted.*

- (3) In para 4A.16A of FTP inserted vide Notification No.30 dated 31.01.2013 in respect of Private/Public Bonded Warehouse the minimum value addition of 5% shall be only for DTA units and not SEZ units. Accordingly, the para may be modified as under:

“Private/Public Bonded Warehouses may be set up in SEZ/DTA for import and re-export of cut and Polished

diamonds, cut and polished coloured gemstones, uncut & unset precious & semi-precious stones, subject to achievement of minimum VA of 5% by DTA units”.

Effects of this Notification: Anti-dumping duty and safeguard duty would be leviable on goods imported against transferred DFIA's. Advance Authorisations will no more be available for import/supply of 'energy'. Value Addition in respect of SEZ (in respect of para 4A.16A of FTP) would be as per SEZ Act.

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