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

**Public Notice No. 12 (RE-2012)/ 2009-14**  
**New Delhi, the 26 July, 2012**

**Subject: Amendment of HBP Vol I (RE 2012)/ 2009-14**

In exercise of the powers conferred under Paragraph 2.4 of the Foreign Trade Policy, 2009-14, the Director General of Foreign Trade hereby amends para 2.13.2.A, 3.6.1, 3.10.3, 3.11.7, 3.11.8, 4.19, 5.10 and 5.23 of the Handbook of Procedures Vol I (RE 2012)/ 2009-14. This will be deemed to have come into effect on 5.6.2012.

**2. At the end of Para 2.13.2.A (a) phrase “remains unutilized” has been added and the revised para will be as under:**

*“(a) If the endorsement has been made by Regional Authority on or before 15.9.2011 but the re-credit remains unutilised”*

**3. In para 3.6.1(Ineligible Remittances and Services for SFIS) a new sub-para (h) is added after sub- para (g). The new sub-para will be as under:**

*“(h) Foreign Exchange earnings for Services provided by Shipping Lines Service Providers from plying from any country X to any country Y routes, not touching India at all.”*

**4. Para 3.10.3 (b) is being rewritten to better reflect the intention of policy. The rewritten para will be as under:**

*“(b) In case an applicant has availed Zero Duty EPCG Authorisation during the year 2010-11 or 2011-12 or 2012-13, they shall not be entitled to SHIS for that year [i.e. for export made during the respective previous years (2009-10, 2010-11, 2011-12)]. Such SHIS applications will be summarily rejected and para 9.3 (late cut for delay in filing application) shall also not be applicable.”*

**5. Validity period of Duty Credit Scrip mentioned in the first sentence of para 3.11.7 is amended as 18 months in place of 24 months. The amended para will be as under:**

*“Duty Credit Scrip shall be valid for a period of 18 months. Revalidation of Duty Credit Scrip shall not be permitted unless covered under paragraph 2.13.1 or paragraph 2.13.2 A of HBP v1.”*

**6. Existing para 3.11.8 would be replaced by a new para as under:**

3.11.8  
**Declaration of Intent on Free Shipping Bills**

*(a) "Export shipments filed under the Free Shipping Bill category, would need the following declaration on the Shipping Bills in order to be eligible for claiming benefits under chapter 3 of FTP:*

*'We intend to claim benefits under Chapter 3.'*

*(b) Such declaration shall not be required for export shipments under any of the schemes of Chapter 4 (including drawback), Chapter 5 or Chapter 6 of FTP.*

*(c) If there is a decision subsequently / later to include any new product or new market to avail such benefit, then:*

*(i) For exports of such products/ export to such markets, a grace period of one month from the date of decision/ notification/public notice will be allowed for making this declaration of intent on free shipping bills.*

*(ii) After the grace period of one month, all exports (of such products or to such markets) would have to include the declaration of intent on the free shipping bills.*

*(iii) For exports made prior to date of decision/notification/public notice of products/markets, such a declaration will not be required since such exports would have already taken place."*

**7. The following Ports shall be added at the end of ICDs and Sea Ports in paragraph 4.19 related to "Port of Registration".**

ICDs: Tondiarpet (TNPM), Chennai,

Sea Ports: Karaikal (Union territory of Puducherry)

These names are to be added at the end of the respective list.

(In the revised edition of HBP vol. 1, names of these ports would be placed in correct alphabetical order)

**8. Sub-para (a) and (b) of Para 5.10 are amended and will be as under:**

- (a) If authorization issued has actually been utilized for import of a value in excess, upto 10% of CIF value /duty saved amount of authorization, authorization shall be deemed to have been enhanced by that proportion. Customs shall automatically allow clearance of goods in excess, upto 10% of authorization value/duty saved amount, without endorsement by concerned RA.*
- (b) In such case, authorization holder shall furnish additional fee to cover excess imports effected, in terms of CIF value/duty saved amount, to RA concerned, within one month of excess imports taking place. Export obligation shall automatically stand enhanced proportionately.*

**9. Sub-para (b) and (g) of Para 5.23 (Post Export EPCG Duty Credit Scrip) are amended and will be as under:**

*“(b) For importing Capital Goods, all applicable duties shall be paid in cash by the exporter.”*

*“(g) (i) Bill of Entry indicates the duty paid on the import made. Subsequently, Cenvat Credit, if availed, shall not be taken into account for grant of duty credit scrip. In the absence of a certificate from the jurisdictional Central Excise Authority stating that ‘Cenvat Credit on this Bill of Entry(ies) has not been availed and will not be availed in future’ no duty credit scrip would be granted on the CVD component. In all cases where CVD portion is considered for grant of duty credit scrip, RA shall endorse the Bill of Entry(ies) to this effect, mentioning that CVD Portion shall not be Cenvatable and send a communication to the same jurisdictional Central Excise Authority informing the details along with relevant list of Bill of Entry(ies).*

*(ii) Such certificate from Central Excise shall, however, not be required in case (a) the unit is not registered with Central Excise, or (b) the unit has opted out of Central Excise net or (c) the end product is not subject to Central Excise duty.”*

Effect of this Public Notice: Certain amendments/modifications in HBP Vol.1 are being made which will be deemed to have come into effect on 5.6.2012.

(Anup K. Pujari)

(F. No. 01/91/180/160/AM12/ PC-3)