

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhavan, New Delhi.

Policy Circular No. 29(RE-2010)/2009-14

Dated the 19th April, 2011

To

All Customs Authorities / All Regional Authorities / Members of Trade.

Subject:- Conditions and modalities for registration of contracts of Assam Comilla Cotton with DGFT.

As per Notification No. 32(RE-2010)/2009-14 dated 14.03.2011 export of 5000 bales of Assam Comilla Cotton (Tariff Code 5201 00 12) has been exempted from the ceiling of 55 lakh bales imposed on export of cotton during the Cotton Season, 2010-11 (upto 30.09.2011). Thus, export of this 5000 bales of Assam Comilla Cotton, ITC(HS) Code 5201 00 12 is "Free" subject to registration of export contracts with DGFT. Procedure for registration of contracts is described below.

2 All applications for grant of registration certificate shall be submitted to the RA, Guwahati alongwith the following documents:

(i) Copy of Export Contract alongwith,

- (a) A copy of irrevocable Letter of Credit(LC) duly authenticated by an Indian Bank, or
- (b) FIRC from Bank showing receipt of remittance from the concerned foreign buyer as proof of having received 100% Advance Payment or a minimum of 25% Advance Payment and balance Cash Against Delivery(CAD),

(ii) Declaration/Undertaking as given in Annexure-I of this Policy Circular, on the letter head of the firm.

(iii) Copy of IEC

Note: The registration certificates for export to countries, other than Japan, would be issued based on past performance. Hence, applications for export to countries, other than Japan, should accompany proof of past export of Assam Comilla Cotton to that country. In case of export to Japan, proof of past performance is not required.

3. If the documents received are found in order, the applicant shall be issued a Registration Certificate. Export against this registration certificate shall be completed within a period of 45 days from the date of issuance of such certificate. The firms would be required to submit proof of export (alongwith Bill of Entry of destination country) to the RA within 10 days of last shipment.

4. While issuing Registration Certificates (RCs), RA, Guwahati will ensure that RCs issued for Assam Comilla Cotton are within the overall ceiling of 5000 bales.

5. Failure to export the allowed quantity within the stipulated time would invite debarment from further registration. In addition, penal action as per Section 11(2) of the Foreign Trade(D&R) Act would be initiated. For ready reference Section 11(2) is extracted below:-

"11(2). Where any person makes or abets or attempts to make any export or import in contravention of any provisions of this Act or any rules or order made thereunder or the Foreign Trade Policy, he shall be liable to a penalty of not less than ten thousand rupees and not more than five times the value of the goods or services or technology in respect of which any contravention is made or attempted to be made, whichever is more."

6. This issues with the approval of Director General of Foreign Trade.

(Issued from F.No 01/91/180/1194/AM10/Export Cell)

Annexure-1 to Policy Circular No. 29(RE-2010)/2009-14

Dated : 19.04.20011

DECLARATION / UNDERTAKING

1. I / We hereby declare that the particulars and the statements made in this application are true and correct to the best of my / our knowledge and belief and nothing has been concealed or held there from.
2. I / We fully understand that any information furnished in the application if found incorrect or false will render me / us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
3. I / We undertake to abide by the provisions of the FT (D & R) Act, 1992, as amended, the Rules and Orders framed there under, FTP, HBP v 1 and HBP v2 and ITC (HS). I also undertake that in the event of non-performance after grant of Registration Certificate for export of cotton yarn by the Directorate General of Foreign Trade, I shall be liable to Penal Action under Section 11(2) of Foreign Trade(Development & Regulation) Act, 1992, (as amended), including debarment from future allocations.
4. I hereby certify that I am authorised to verify and sign this declaration.

Signature of the Applicant

Place

Name

Date

Designation

Official Address(if different than given in the letter head):

Line 1: Number of the office premises.
Line 2: Street name.
Line 3: City name.
Line 4: Pin code.

Telephone No.(with STD code):

Cell Phone No.:

Fax No.:

E-mail of the firm/company:

E-mail of the signatory:

Residential Address of the signatory:

Line 1: House Number.
Line 2: Street name.
Line 3: City name.
Line 4: Pin code.
