

#### **APPENDIX-7A**

### **List of Agencies / Funds notified by the Department of Economic Affairs, Ministry of Finance (Please see Para 7.02 (e) of FTP)**

A list of Agencies / Funds notified by the Department of Economic Affairs, Ministry of Finance vide Public Notice No. 1(FT)/DEA/2010 dated 05.05.2010 and which are entitled for Deemed Export Benefits under FTP.

1. International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA).
2. Asian Development Bank (ADB)

#### **APPENDIX-7B**

### **(Please see Para 7.02 (g) of FTP)**

A list of Agencies notified under Notification No. 108/95 – Central Excise, dated 28.08.1995, where supplies are made to UN Organization / International Organisation and entitled for Deemed Export Benefits under FTP.

1. United Nations Development Programme
2. United Nations International Children's Fund
3. Food and Agricultural Organisation
4. International Labour Organisation
5. World Health Organisation
6. United Nations Population Fund
7. United Nations World Food Programme
8. United Nations Industrial Development Organisation

#### **APPENDIX-7C**

### **FORMAT OF PROJECT AUTHORITY CERTIFICATE**

**(Please see Para 4.1.3 of FTP, 7.02(d) of HBP & ANF-7A)**

I ..... (Name and Designation) am duly authorized to issue the Project Authority Certificate. I hereby certify that M/s. .... have been awarded a contract for supply of goods of value, quantity and description mentioned below for total value of Rs..... (in words ..... ) against purchase order No. .... dated .....

It is certified :-

- (a) That supplies under contract No..... Dated..... are to be made in India to a project financed by multilateral or bilateral Agencies/ Funds namely ..... which has been notified by the Department of Economic Affairs, Ministry of Finance vide their Reference No..... Dated ..... and the same is under the procedure of International Competitive Bidding in accordance with the procedure of the above mentioned Agency/Fund, legal agreement of which provides for tender evaluation without including the customs duty in accordance with the provision in Para 7.02(e) of the FTP, read with **APPENDIX-7A**, and that the import content of the order is Rs.(figure and words .....).

Supply and installation of goods and equipment (single responsibility of turnkey contracts) to projects financed by multilateral or bilateral agencies/funds as notified by Deptt. of Economic Affairs, Ministry of Finance under International Competitive Bidding in accordance with the procedures of those agencies/funds, which the bids may have been invited and evaluated on the basis of Delivered Duty Paid (DDP) prices for the goods manufactured abroad.

- (b) That supplies under the contract are to be made to a project/purpose namely ....., import to which is permitted at zero customs duty, by the Ministry of Finance vide Notification No.....dt..... , and the same is under the procedure of International Competitive Bidding, but if procured domestically, then the benefit of Deemed Exports has been prescribed in accordance with the Para 7.02(f) of the FTP, and that the import content of the order is Rs. (figure and words.....).

- (c) That supply of goods under the contract made to mega power project in India, at S. No. .... of List 32 A of Notification No. 49/2012-Customs dated 10.09.2012, as amended, is under the procedure of ICB or requisite quantum of power has been tied up through tariff based competitive bidding or project has been awarded through tariff based competitive bidding in accordance with the provisions of Para 7.02(f) of FTP, and the import content of the order is Rs.....(Figures and words).

- (d) That supply of the goods to projects funded by UN agencies in accordance with the provisions of Para 7.02(g) of the FTP, read with **APPENDIX-7B**, and that the import content of the order is Rs.(Figures and words .....).

- (e) That supply of goods to specified nuclear power projects under the procedure of Competitive Bidding is made in accordance with the provisions of Para 7.02(h) of FTP, and the import content of the order is Rs. (Figures and words .....)

2. It is further certified that the contract No ..... Dated..... in respect of ..... (Name of the project) has been awarded to M/s..... as the Indian/ Foreign main contractor and M/s..... are the sub-contractor, whose name is also included in the main contract before the date of supply. The description, quantity of the goods as described below to be supplied to us directly by the sub-contractor or to be supplied by the sub contractor to the main contractor is shown in the main contract and is in accordance with the relevant Policy/Procedure applicable to such contracts. It is further certified that the

payment in respect of the goods to be supplied by the sub-contractor will be made directly by us/ main contractor in Indian Rupees.

(Relevant only for contract at Para 1(a), (b), (c), (d) and (e) for which **ANNEXURE** to **APPENDIX-7C** be furnished.)

**PARTICULARS OF SUPPLIES TO BE MADE**

a) By the main contractor

S.No.	Description of item to be supplied	Quantity
(1)	(2)	(3)

a) By the Sub-contractor

S.No.	Description of item to be supplied	Quantity
(1)	(2)	(3)

3. It is also certified that no other similar certificate to any other party has been granted for the same supplies detailed above, under the same contract referred to above.

Signature .....

Name and Designation.....

Name of the project .....

Seal .....

Telephone Number .....

E-mail .....

Address .....

Fax No. ....

Place  
Date

Note:

- (1) Delete whichever is not applicable.
- (2) Each Project Authority Certificate should bear a serial number.
- (3) This certificate is to be signed by the Chief Executive of the project concerned or by a senior officer specifically authorised by him for this purpose whose name, designation are circulated to the Regional Licensing Authority concerned. The responsibility for sending timely advice of changes in the names of the nominated officers will solely rest with the project authority concerned.
- (4) In the case of supplies to be made by a sub-contractor whose name is included in the main contract, his name should also compulsorily be indicated in Para 2 with details of supplies to be made by him, alongwith the name of the main contractor.
- (5) In cases, where licences are to be obtained from more than one Regional Licensing Authority in respect of supplies covered by the same Project Authority Certificate, a self certified copy of the Project Authority Certificate ( PAC ) in place of the original PAC may be accepted by the Regional Licensing Authority. This will be certified by an officer who is authorized to file an application for licences on behalf of the company. While submitting the self certified PAC, the officer concerned will also intimate where the original PAC has been submitted so that the Regional Licensing Authority may correspond with the other Regional Licensing Authority.
- (6) In case of supplies under Lease financing agreement, the Project Authority certificate shall be jointly signed by the Project Authority and Lease financing.

## ANNEXURE

### CERTIFICATE BY THE MAIN CONTRACTOR TO THE SUB CONTRACTOR

It is certified that the contract No. .... dated ..... in respect of ..... (Name of the project) has been awarded to M/s ..... as the Indian/Foreign main contractor and M/s ..... as the sub-contractor, whose name is certified in the main contract, before the date of supply. The description and quantity of the goods as described below to be supplied directly by the sub-contractor to the project authority or to us is shown in the main contract and is in accordance with the relevant Policy/procedure applicable to such contracts. It is further certified that the payment in respect of the goods to be supplied by the sub-contractor will be made directly by the Project Authority/ us.

#### PARTICULARS OF SUPPLIES TO BE MADE

(a) By the main contractor

S.No.	Description of item(s) to be supplied	Quantity	Value	CIF Content
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(b) By the sub-contractor

S.No.	Description of item(s) to be supplied	Quantity	Value	CIF Content

Signature: .....

Name of Authorised Signatory: .....

Designation: .....

Name of Main Contractor.....

Telephone Number .....

E-mail .....

Place Address .....

Date Fax No. ....

**APPENDIX-7D  
FORMAT OF CERTIFICATE OF PAYMENTS**

(Please see Para 7.03 (g) of HBP & ANF-7A)

**FORM-I**

**Certificate of Payment to be Issued for supply of goods falling under categories (e), (f), (g) and (h) of Para 7.02 of The FTP by The Project Authority to Main Contractor/sub-contractor(s).**

or

**By Main Contractor to Sub-Contractor(S)**

This is to certify that:

- (i) I ..... (Name and Designation) am duly authorised to issue the payment certificate by company/firm.

- (ii) The goods of quantity and value as described in contract No.....dated.....and supply Invoices have been supplied to us against purchase order No.....dated ..... the details of suppliers are given below.
- (iii) The supplies have been made in accordance with the conditions mentioned in the Project Authority certificate issued to the supplier on.....
- (iv) Such supplies are covered under Para 7.02 (e), (f), (g), (h) of FTP (mention whichever is applicable).
- (v) The name of the sub- contractor has been included in the main contract itself, before the date of supply, and the description, quantity and value of the goods which has now been supplied to us or to the main contractor, has already been indicated in the main contract. These supplies conforms to the specifications laid down in the main contract.
- (vi) We have accepted the supplies at the Project site/factory at the price stated in the invoice.
- (vii) We have paid to the suppliers, namely, M/s..... the sum of Rs.(figures and words.....) on..... (date) being ..... per cent of the value of the goods/ equipments/ capital goods supplied as per terms and conditions of the contract No..... dated..... entered into with the suppliers.

Signature .....

Name .....

Designation .....

Name of the Project .....

Telephone Number .....

E-mail .....

Address .....

Fax No. ....

Place  
Date

**Note:** This certificate should be signed by the Chief Executive In charge of the Project concerned or by a senior officer specially authorized by him for this purpose.

S.NO.	DESCRIPTION OF GOODS	Qty	INVOICE NO	DATE	FOR VALU	DATE OF PAYMENT

**FORM-II**

**(UNDERTAKING TO BE GIVEN BY THE APPLICANT)**

1. We, M/s..... undertake in respect of our application dated ..... against..... (description of goods) supplied to/received from ..... (name of buyer/supplier), that :-

(a) particulars stated in the application dated ..... are correct;

(b) the goods as mentioned in application have been supplied to/received from ..... in terms of the contracts referred.

(c) the payment against these supplies have been received/made; and

(d) supplies have been made/received at the prices indicated in Contract No..... dated .....

(2.) If at any future date we, the supplier, are required to refund any amount to the buyer, namely ..... on account of non-satisfactory performance of the equipment during the guarantee period or on account of replacement of defective parts as per contractual agreement, we shall send an intimation to the Regional Authority concerned within 30 days giving full particulars of such refund.

**Or**

If at any future date we, the recipient, are required to return any goods to the supplier, namely. .... on account of non-satisfactory performance of the equipment during the guarantee period or on account of replacement of defective parts as per contractual agreement, we shall send an intimation to the Regional Authority concerned within 30 days giving full particulars of such return.

(3.) We, the applicant, shall refund to the Regional Authority proportionate amount in respect of the amount refunded to the Project Authority/goods returned back.

Signature .....

Name (In Block Letter).....

Designation .....

Telephone Number .....

E-mail .....

Address .....

Fax No. ....

Place

Date