

The background of the page is composed of several large, overlapping triangles in various shades of blue (light blue, medium blue, and dark blue) against a white background. The triangles are arranged in a way that creates a dynamic, geometric pattern. The text is positioned on the left side of the page, within the white space.

CHAPTER 11

# **Miscellaneous Matters**

## CHAPTER 11

### MISCELLANEOUS MATTERS

#### 11.01 Denomination of Import Authorisation/Licence/ Certificate/Permissions

- (a) CIF value of Authorisation / FOB value of export obligation shall be indicated both in Rupees and in freely convertible currency(s) at the exchange rate(s) prevailing on Authorisation issue date.
- (b) Remittance of foreign exchange and discharge of export obligation against Authorisation shall be regulated in freely convertible currency or in Indian Rupees as per para 2.52 and 2.53 of FTP.
- (c) No enhancement in Rupee value shall be necessary if remittance of foreign exchange is covered by CIF value of Authorisation shown in freely convertible currency.
- (d) However, on Advance Authorisation(s), issued for exports to ACU countries, export obligation shall be denominated and discharged in ACU dollars.
- (e) Export obligation in Advance Authorisation for intermediate supply and for deemed export, where supplies are to be made within the country, shall be denominated and discharged in Indian rupees.

#### 11.02 Late Cut

Wherever any application for any fiscal/financial benefits under FTP complete in all respects is received after expiry of last date for submission of such application, the application may be considered after imposing a late cut in the following manner:

i.	Application received after the expiry of last date but within six months from the last date	2%
ii.	Application received after six months from the prescribed date of submission but not later than one year from the prescribed date	5%

iii.	Application received after 12 months from the prescribed date of submission but not later than 2 years from the prescribed date	10%
------	---	-----

### **11.03 Supplementary Claims**

Wherever any application for supplementary claim is received, within specified time limits, such application may also be considered after imposing a cut @2% on the entitlement.

### **11.04 Furnishing of Information**

Every importer/ exporter shall furnish such information within the stipulated time as may be called for by DGFT or any officer duly authorised. Failure to furnish the requisite information within the stipulated time shall warrant Penal action as laid down in the FTP or as per the FT(D&R) Rules,1993.

### **11.05 Clarifications on Policy/Procedure**

A request seeking clarifications on any provision of FTP or HBP, importability or exportability of items under ITC(HS), made to DGFT in the form in ANF2F. Clarification may also be sought on E-mail.

### **11.06 Consumption Register**

Importer shall maintain a register as in Appendix-4H (for 3 years period) of items imported under an Authorisation and separately for items imported with actual user condition and its consumption. In respect of particular schemes such register shall be maintained for specified period.

### **11.07 Export Facilitation**

In order to resolve exporters' problems in a co-ordinated manner, field offices of DGFT shall act as Export Facilitation Centres and nodal agencies.

### **11.08 Standing Grievance Committee**

For speedy redressal of genuine grievances of trade and industry pertaining to Export and Foreign Trade, Grievance Committees have been constituted chaired by (i) DGFT at Headquarters and (ii) head(s) of RA(s) in regional offices. Grievance Committee will include representatives of Federation of Indian Export Organisations (FIEO), Export Promotion Councils/ Commodity Boards, Development Authorities, and Government

Departments/ technical authorities, Custom Authorities, GST Authorities, DGARM, Banks (Public and Private Sectors), Export Inspection Agencies/ Councils, ECGC, Industries Commissioner (State/UT), Export Commissioner (State/UT), General Manager (GM) District Industries Centre (DIC) as their members.

### 11.09 Counter Assistance

- (a) While the endeavour of DGFT is to make filling/submission of all applications online, till the time the facility for online application is not available, applications will continue to be received at the counter.
- (b) For speedy disposal of applications, "Counter Assistance" will function in all offices of DGFT. An FTDO shall be in charge of counter in each office. On presentation of application at the counter, applicant would be advised whether his application is complete or there is any deficiency that needs to be rectified.
- (c) Counter Assistance may also be availed of for amendments of minor nature/enquiries. Applications, in such cases, will be received in regional offices at counter against a proper receipt. Authorisation / licence /list /enquiry shall be returned after carrying out necessary amendments/ giving necessary reply as far as possible on the same day, across the Counter.

### 11.10 Time Bound Disposal of Applications

RA shall dispose of applications expeditiously. Following time schedule shall normally be followed to dispose of applications provided it is complete in all respects and is accompanied by prescribed documents.

S. No.	Category of Application	Time Limit For Disposal (in working days)
	IEC Number	2
	Advance Authorisation where Input-Output norms are notified or under paragraph 4.07 of HBP, Advance Authorisation for Annual Requirement and DFIA.	3
	Issuance of Advance Authorisation through automatic route	1
	Fixation of Input Output Norms for SAAS covered under para 4.04A of FTP	90

	Issuance of EPCG Authorisations	<b>3</b>
	Issuance of EPCG authorisation through automatic route	<b>1</b>
	All Authorisations under Gem & Jewellery scheme	<b>3</b>
	Revalidation of Advance Authorisation and extension of Export Obligation period of AA/EPCG authorisations by R.A	<b>1</b>
	Acceptance of BG/LUT	<b>3</b>
	Redemption/EODC of Advance Authorisation/ DFIA	<b>15</b>
	Redemption of EPCG Authorisations and release of BG /LUT.	<b>30</b>
	Issuance/renewal of status certificate	<b>3</b>
	Amendment of any category of Authorisation	<b>3</b>
	Miscellaneous	<b>10</b>
	Refund of DBK/ TED under deemed export	<b>30</b>
	<b>Fixation of Brand Rate for duty drawback</b>	<b>30</b>

In all the above cases, the number day is counted from the date of submission of complete application. Cases of undue delay in disposal of applications may be brought to notice of head of regional offices by way of a written representation, which shall be promptly enquired into and responded to.

### **11.11 Date of shipment/Dispatch in respect of Imports**

Date of shipment/dispatch for imports will be reckoned as under:-

<b>S.No.</b>	<b>Mode of Transportation</b>	<b>Date of Shipment / Dispatch</b>
(i)	By Sea	The date affixed on the Bill of Lading
(ii)	By Air	Date of relevant Airway Bill provided this represents date on which goods left last airport in the country from which the import is effected.

(iii)	From land-Locked Countries	Date of dispatch of goods by rail, road or other recognised mode of transport to consignee in India through consignment basis.
(iv)	By Post Parcel	Date stamp of office of dispatch on the packet or dispatch note
(v)	By Registered Courier Service	Date affixed on Courier Receipt / Waybill
(vi)	Multimodal Transport	Date of handing over goods to first carrier in a combined transport Bill of Lading

### 11.12 Date of Shipment/ Dispatch in respect of Exports

a) Date of shipment/despatch for exports will be reckoned as under:

Sl. No.	Mode of Transportation	Date of Shipment / Dispatch
(i)	By Sea	<p>(a) For bulk cargo, date of Bill of Lading or date of mate receipt, whichever is later?</p> <p>(b) For containerised cargo, date of "Onboard Bill of Lading", or "Received for Shipment Bill of Lading", where the L/C provides for such Bill of Lading. For exports by containers from Inland Container Depot (ICD), date of Bill of Lading issued by shipping agents at the time of loading of export goods in ICD after customs clearance.</p> <p>(c) For Lash barges, date of Bill of Lading evidencing loading of export goods on board.</p>
(ii)	By Air	Date mentioned by appropriate Officer of Customs on Shipping Bill, evidencing loading or handing over of goods to air cargo complex, which are not international airports, or by way of rotation of flight number and date.
(iii)	By Post Parcel	Date stamped on postal receipt
(iv)	By Rail	Date of RR (Railway Receipt)
(v)	By Registered Courier Service	Date affixed on Courier Receipt/ Waybill.

(vi)	By Road	Date on which goods crossed Indian bor der as certified by Land Customs Authorities.
------	---------	--

- b) However, wherever Procedural / Policy provisions have been modified to disadvantage of exporters, the same shall not be applicable to consignments already handed over to Customs for examination and subsequent exports up to Public Notice / Notification date.
- c) Similarly, in cases where goods are handed over to the customs authorities before expiry of export obligation period but actual Exports take place after expiry of the export obligation period, such exports shall be considered within export obligation period and taken towards fulfilment of export obligation.
- d) However, for benefit under FTP, Let Export Order (LEO) date shall be the date of reckoning of export.

### **11.13 General Power of Review**

DGFT may, on his own or otherwise, call for records of any case pending with or decided by an officer subordinate to him or an officer of any EPC/FIEO including a Group/ Committee of officers nominated, appointed or authorised by him and pass such orders as he may deem fit.