

**General Notes
to
Export Policy**

**ITC (HS), 2018
SCHEDULE 2 – EXPORT POLICY**

Schedule 2 contains the following:

- **General Notes to Export Policy** : **Goods under Restrictions**
- **Schedule 2** : **Export Policy**

- **Appendix 1** : **List of Wild Life Entries in Wild Life (Protection) Act, 1972**
- **Appendix 2** : **List of flora included in Appendix I (Prohibited Species) & Appendix II (endangered species) of CITES**

- **Appendix 3** : **List of SCOMET items**

- **Appendix 4** : **Definition of Finished Leather**

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General Notes to Export Policy – Goods under Restrictions

1. Free Exportability

All goods other than the entries in the export licensing schedule along with its appendices are freely exportable. The free exportability is, however, subject to any other law for the time being in force. Goods not listed in the Schedule are deemed to be freely exportable without conditions under the Foreign Trade (Development and Regulations) Act, 1992 and the rules, notifications and other public notices and circulars issued there under from time to time. The export licensing policy in the schedule and its appendices does not preclude control by way of a Public Notice / Notification under the Foreign Trade (Development and Regulations) Act, 1992.

2. Code does not limit the item description

The export policy of a specific item will be determined mainly by the description and Policy Conditions in the schedule. The code number is illustrative of classification but does not limit the description by virtue of the standard description of the item against the code in the import part of the ITC(HS) classification.

Exports shall be 'Free', unless regulated

(a) Exports shall be 'Free' except when regulated by way of 'prohibition', 'restriction' or 'exclusive trading through State Trading Enterprises (STEs)' as laid down in Indian Trade Classification (Harmonised System) [ITC (HS)] of Exports and Imports. The list of 'Prohibited', 'Restricted' and 'STE' items can be viewed by clicking on 'Downloads' at <http://dgft.gov.in>.

(b) Further, there are some items which are 'free' for import/export, but subject to conditions stipulated in other Acts or in law for the time being in force.

3. Classes of Export Trade Control

A. Free Goods

Goods listed as "Free" in the Export Licensing Schedule may also be exported without an export licence as such but they are subject to conditions laid out against the respective entry. The fulfillment of these conditions can be checked by authorized officers in the course of export.

B. Restricted Goods

The restricted items can be permitted for export under licence. The procedures / conditionalities wherever specified against the restricted items may be required to be complied with, in addition to the general requirement of licence in all cases of restricted items.

C. Prohibited Goods

The prohibited items are not permitted to be exported. An export licence will not be given in the normal course for goods in the prohibited category. No export of rough diamond shall be permitted unless accompanied by Kimberley Process (KP) Certificate as specified by Gem & Jewellery EPC (GJEPC).

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D. State Trading Enterprises

Export through STE(s) is permitted without an Export Licence through designated STEs only as mentioned against an item and is subject to conditions in para 2.20 of Foreign Trade Policy 2015-20.

E. Special Chemicals, Organisms, Materials, Equipments & Technologies (SCOMET)

SCOMET Items shall be governed by the specific provisions of (i) Chapter IV A of the FT(D&R) Act, 1992 as amended from time to time (ii) Sl. No. 4 & 5 of Table A and Appendix-3 of Schedule 2 of ITC(HS) Classification of Export & Import Items (iii) Para 2.16, Para 2.17, Para 2.18 of FTP and (iv) Para 2.73- 2.82 of Hand Book of Procedures, in addition to the other provisions of FTP and Handbook of Procedures governing export authorizations.

F. Restrictions on Countries of Export

Prohibitions (Country, Organisations, Groups, Individuals etc. and Product Specific) will be regulated as per provisions contained in Chapter 2 of Foreign Trade Policy 2015-2020, as amended from time to time.

G. Exemptions granted for export to Bhutan

Export of (i) Milk powder ; (ii) Wheat; (iii) Edible oil; (iv) Pulses; and (v) Non-basmati rice to Bhutan will be exempted from any ban and without any quantitative restrictions. [\[Notification No. 81\(RE-2013\)/2009-2014 dated 13.06.2014\]](#).

Export of 1600 MTs of Milk Powder per annum to Bhutan (as per Calendar year i.e. 1st January to 31st December) will be exempted from any export ban.

H. Special condition for export of processed and/or value added agricultural products

Export of following processed and/or value added agricultural products will be exempted from any restriction / ban even in the event of restriction / ban on the export of basic farm produce :

Sl. No.	Name of Product	Tariff Item HS Code
1	Wheat or Meslin flour	1101
2	Cereal flours other than of wheat or meslin (Maize,Oats etc.)	1102
3	Cereal groats, meal pellets	1103
4	Cereal grains otherwise worked except rice of heading no. 1006; germ of cereals, whole,	1104

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	rolled , flaked or ground	
5	Other Cereals items	1901 to 1905
6	Milk products including casein and casein products etc.	3501
7	Butter and other fats derived from milk, dairy spread etc.	0405
8	Cheese and Curd	0406
9	Value added products of onion	0712
10	Peanut Butter	15179020

[\[Notification No. 31\(RE-2012\)/2009-2014 dated 04.02.2013\]](#)

I. Exemption granted to organic food items from any ban and quantitative restrictions w.e.f. 19.04.2017

Exemption from the application of quantitative ceiling and export bans on export of organic agricultural products (wheat, non-Basmati rice) and organic processed products (edible oils and sugar).

[\[Notification No. 03/2015-2020 dated 19.04.2017\]](#)

- (a) Export of following items from Custom EDI ports have been exempted from all quantitative ceilings and irrespective of any existing or future restriction/prohibition on export of their basic product (non-organic), subject to due certification by APEDA as being organic under the National Programme for Organic Production (NPOP):
- (i) organic wheat
 - (ii) organic non-Basmati Rice
(excluding rice in husk – paddy or rough)
 - (iii) organic edible oils
 - (iv) organic sugar
- (b) The quantitative ceiling in respect of export of organic pulses and lentils has been increased from 10,000 MT per annum to 50,000 MT per annum, subject to certification by APEDA as being organic pulses and lentils, subject to following conditions:
- (i) Export contracts should be registered with APEDA, New Delhi prior to shipment; and
 - (ii) Export shall be allowed only from Custom EDI Ports.

J. Exemption granted for export of specified quantities of essential food items to Maldives

Exemption from any existing or future restriction / prohibition on export of the following quantities of potato, onion, rice, wheat flour, sugar ([Notification No. 12 dated 27.06.2017](#)), pulses and eggs ([Notification No. 20 dated 14.08.2017](#)) to

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the Republic of Maldives under bilateral trade agreement between Government of India and Government of Maldives during the period 2017-18 (April to March):

Item	Quantity (in MT)
Potato	11714.45
Onion	19466.36
Rice	67640.24
Wheat Flour	59442.17
Sugar	11706.30
Eggs	232805000 numbers
Pulses (dhal)	122.23