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GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

NOTIFICATION NO. 2 (RE-2005)/(2004-2009)
NEW DELHI, DATED THE 13th May,2005

S.O.(E) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) read with Paragraph 1.3 of the Foreign Trade Policy, 2004-2009 as amended from time to time, the Central Government hereby makes the following amendments :

1. Sub-Paragraph 6.8 (a) shall be amended to read as follows :

"Units, other than gems and jewellery units, may sell goods upto 50% of FOB value of exports subject to fulfillment of positive NFE on payment of concessional duties. Within the entitlement of DTA sale, the unit may sell in DTA its products similar to the goods, which are exported or expected to be exported from the units. No DTA sale at concessional duty shall be permissible in respect of motor cars, alcoholic liquors, books, tea (except instant tea), **pepper& pepper products,** refrigeration unit / compacting / micronisation / pulverization / granulation / conversion of monohydrate form of chemical to anhydrous form or vice-versa and such other items as may be

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notified from time to time.

Sales made to a unit in SEZ shall also be taken into account for the purpose of arriving at FOB value of export by EOU provided payment for such sales are made from EEFC Account. Sale to DTA would also be subject to mandatory requirement of registration of pharmaceutical products (including bulk drugs)."

2. Sub-Paragraph 6.8 (h) shall be amended to read as follows :

"EOU / EHTP / STP/ BTP units may sell finished products **except pepper and pepper products,** which are freely importable under the Policy in the DTA under intimation to the Development Commissioner against payment of full duties provided they have achieved the positive NFE.

This issues in public interest.

(K.T. Chacko)
Director General of Foreign Trade
Ex-officio Addl. Secretary to the Govt. of India

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