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(PART – I SECTION-I)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE & INDUSTRY

DEPARTMENT OF COMMERCE

DIRECTORATE GENERAL OF FOREIGN TRADE

PUBLIC NOTICE NO. 107 (RE-2008)/2004-2009

NEW DELHI, DATED THE 11TH November, 2008

In exercise of powers conferred under Paragraph 2.4 of the Foreign Trade Policy 2004- 09, the Director General of Foreign Trade hereby makes the following amendments in Handbook of Procedures, Vol. I (RE 2008):

1. The procedure for filing applications against export of High Value Added Manufactured Goods and Market Linked Focus Product scheme (Para 3.10.2 and 3.10.7 of Foreign Trade Policy, 2004-09 respectively) will be the same as laid down for Focus Product Scheme in Paras 3.21.1 and 3.21.3 of HBP Vol.1 (RE 2008), as amended from time to time.
2. In case of applications for grant of benefit under Market Linked Focus Product scheme, for proof of landing of export consignment in specified market, Para 3.20.3 of HBP Vol.1 (RE 2008) shall apply.
3. ANF 3E for Focus Product Scheme Applications is amended by adding Sl. No. 4.A as under:-

4.A In case of claim under Market Linked Focus Product scheme (Para 3.10.7 of Foreign Trade Policy, 2004-09), kindly fill in the linked market for each shipping bill.

Name of the Linked Market:

Note: For proof of landing of export consignment in specified Focus Market, any one of the documents prescribed in Para 3.20.3 of HBP Vol.1 (RE 2008) is to be submitted.

1. In ANF 3E, for Focus Product Scheme Applications, the heading of Column No. 12 in the table in Para 4 is amended to read as under:-

“1.25% / 2.5% (for High Value Added Manufactured Goods)/ 6.25% (for Toys and Sports Goods)”

5. ANF 3F- Aayaat Niryaat Form for filing of applications on the basis of incremental growth in exports under High-Tech Products Export Promotion Scheme is annexed as Annexure ‘A’ to this Public Notice.

This issues in public interest.

(R.S. Gujral)
Director General of Foreign Trade
And Ex-Officio Additional Secretary to the Government of India

(Issued from F. No. 01/91/180/1388/AM09/PC.3)

Annexure A to Public Notice No. 107(RE-2008)2004-2009 Dated 11th November, 2008

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ANF 3F

ANF for High-Tech Products Export Promotion Scheme (HTPEPS)

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For Applicants who opted to apply on incremental growth in exports basis
April 2007 – March 2008 / April 2008 – March 2009 period

1. IEC Number

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2. Applicant Details	
i. Name	
ii. Address	

3. RCMC Details	
i. RCMC Number	ii. Date of Issue
iii. Issuing Authority	iv. Valid upto
v. Products for which registered	

4. Status Details	
i. Status Number	ii. Effective Date of Status Certificate and Validity:
iii. Issuing Authority	iv. Date of issue:

5. Details of exports: -

Sr. No	Particulars	FOB value (as per BRC) in Rs	
		Base Year* (2006-07 / 2007-08)	Incremental Year* (2007-08 / 2008-09)
i	Total value of exports of all notified products covered under Appendix 37E, taken together. Details as per CA certificate.		
ii	Exports of Ineligible Categories (of High Tech Products) – see Para 3.11.2.1 and Para 3.11.4 of FTP.		
iii	Exports eligible for High Tech Products Export Promotion Scheme = Row i – Row ii		
iv	Incremental Growth in Exports = FOB Value of Incremental Year of Row iii – FOB Value of Base Year of Row iii		
v	Duty Credit Quantum Eligible For (i.e. 5% of Incremental Growth in Exports) = 5% X Row iv, subject to a ceiling of Rs 15 Cr per applicant in terms of Para 3.11.3 of FTP		
Note: In case Base Year's export is Nil, Applicant is not eligible for benefits under the High-Tech Products Export Promotion Scheme.			

6. Number of Split Certificates required (in multiples of Rs 5 lakhs each):

7. Port of Registration (for the purpose of imports)**:

(* Date of Exports in terms of Para 9.12 of HBP v1 is to be taken for counting a shipment in a particular year)

(** The port of registration shall be one of the ports from which the exports have been made.)

8. Application Submission Details (in case of electronically submitted applications)	9. Application Fee Details (as per claim value in Row 5 above)
i. ECOM Reference Number	(i) Amount (Rs):
ii. Date of Submission on Server	(ii) Demand Draft / Bank Receipt / Electronic Fund Transfer No
iii. Submitted to which Regional Authority, New Delhi	(iii) Date of Issue
iv. File Number	(iv) Name of the Bank on which drawn
v. Date of Issue	(v) Bank Branch on which drawn

DECLARATION / UNDERTAKING

1. I hereby declare that particulars and statements made in this application are true and correct and nothing has been concealed or held therefrom. I fully understand that any information furnished in application if found incorrect or false will render my firm / company and me liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
2. I hereby certify that none of Proprietor/ Partner(s) / Director(s) / Karta / Trustee of firm / company, as the case may be, is a Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / company which has come to adverse notice of DGFT. I further declare that under Foreign Trade (Development and Regulation) Act (FT (D&R) Act) 1992, my firm / company have not been debarred in person from undertaking any export import business or activity by way of suspension or cancellation of IEC number. [If so debarred under FT (D&R) Act, details of said order and period for which the same is operational may be provided].
3. I hereby certify that my firm / company has not defaulted from export obligation under any provisions of FTP and has not been placed under the Denied Entity List (DEL). [If under DEL List, kindly furnish details of order, current status etc.]
4. I hereby declare that details of exports of goods of my firm / company are true and correct and in accordance with accounts maintained in my firm / company.
5. I hereby declare that in terms of Para 3.12.6 of FTP, this application does not contain any exports for which benefit under FPS / FMS under Chapter 3 of FTP has been / will be claimed.
6. I hereby declare that in terms of Para 3.12.8 of FTP, this application does not contain any exports in contravention to this provision.
7. I hereby declare that the exports for which High Tech Products Export Promotion Scheme benefits under Para 3.11.2(b) is being claimed is correctly and the shipping bill wise details are given in Annexure 1 of CA certificate.
8. I hereby certify that I am authorized to verify and sign this declaration as per Paragraph 9.9 of FTP.

Place: _____	Signature: _____
Date: _____	Name: _____
<u>Documents to be submitted</u>	Designation: _____
1. CA certificate as per Annexure	Official Address: _____
2. Copies of Shipping Bills of both the base year and the incremental year, of all High Tech Products.	_____
3. Copies of BRC/FIRC of all these shipments.	Residential Address: _____

	Telephone: _____
<u>Note:</u>	Email Address: _____
1. Each individual page of application has to be signed. One Printout of Online application duly signed in provided space. Copy of Updated Profile in ANF 1 only if any changes have taken place and updated, along with Copy of Valid RCMC.	

Annexure A to Public Notice No. 107(RE-2008)2004-2009 Dated 11th November, 2008

Annexure to ANF 3F

CERTIFICATE OF CHARTERED ACCOUNTANT (CA)
COST AND WORKS ACCOUNTANT (ICWA)/ COMPANY SECRETARY (CS)

I / We hereby confirm that I / We have examined prescribed registers and also relevant records of M/shaving IEC Number for

.....I have hereby examined prescribed registers and also relevant records of the firmand hereby certify that:

- 1 Following documents / records have been furnished by applicant firm / company and have been examined and verified by me / us namely: -
 - a. Statutory documentations under Customs Act 1962 and Excise Act 1848, Service Tax Act, Foreign Trade (Development & Regulation) Act 1992;
 - b. Export Order / Contract, Shipping Bills, Bill of Lading (and / or Airways Bills / PP Receipts), Customs / Bank attested Invoices, Forward Inward Remittance Certificates (FIRCs) and Bank Certificates of exports and realization, GR declaration and connected books of accounts;
 - c. FIRCs, Certificate from international credit card companies.
- 2 Information given by applicant firm / company in ANF 3F is in agreement with FTP 2004-09, as amended, and rules and procedures made thereunder, relevant register and records and books of accounts maintained by M/s and their subsidiaries and is also true and correct.
- 3 It has been ensured that
 - a. Information furnished is true and correct in all respects; no part of it is false or misleading and no relevant information has been concealed or withheld;
 - b. In respect of export of goods, a shipment can counted in applicants export turnover / performance only if the realization of export proceeds from overseas is in the applicant's bank account.
 - c. In respect of service providers, realization of export proceeds in free foreign exchange pertains to rendering of services.
- 4 Neither I, nor any of my / our partners is a partner, director, or an employee of above-named entity, its Group companies or its associated concerns;

Place: _____	Signature of CA/ ICWA /CS: _____
Date: _____	Name of the Signatory: _____
	Address: _____
	Membership No: _____
	Email Address: _____

If any of documents of record mentioned in serial number (i) have not been maintained / furnished, examined or verified, they may please be specified below:-

- 1)
- 2)
- ...

Annexure A to Public Notice No. 107(RE-2008)2004-2009 Dated 11th November, 2008

Annexure to ANF 3F (continued)

5	I / We further certify that export proceeds for shipments during last three years plus current <u>year</u> are not outstanding beyond prescribed period as permitted by RBI.																	
6	Statement of Exports of all High Tech Products (Appendix 37E) is as under: <table border="1"> <thead> <tr> <th align="center">Particulars (1)</th> <th align="center">Base Year (Pl. Specify the year) (2)</th> <th align="center">Incremental Year (Pl. Specify the year) (3)</th> </tr> </thead> <tbody> <tr> <td>1. Total Exports of All High Tech Products taken together</td> <td></td> <td></td> </tr> <tr> <td>2. Ineligible categories – as per Para 3.11.2.1 and Para 3.11.4 of FTP</td> <td></td> <td></td> </tr> <tr> <td>3. Exports eligible for High Tech Products Export Promotion Scheme (Row 1 minus Row 2)</td> <td></td> <td></td> </tr> <tr> <td>Incremental Exports during the incremental year (Column 3 – Column 2)</td> <td colspan="2"></td> </tr> </tbody> </table> Shipment-wise details are given in Annexure 1 to this Certificate.			Particulars (1)	Base Year (Pl. Specify the year) (2)	Incremental Year (Pl. Specify the year) (3)	1. Total Exports of All High Tech Products taken together			2. Ineligible categories – as per Para 3.11.2.1 and Para 3.11.4 of FTP			3. Exports eligible for High Tech Products Export Promotion Scheme (Row 1 minus Row 2)			Incremental Exports during the incremental year (Column 3 – Column 2)		
Particulars (1)	Base Year (Pl. Specify the year) (2)	Incremental Year (Pl. Specify the year) (3)																
1. Total Exports of All High Tech Products taken together																		
2. Ineligible categories – as per Para 3.11.2.1 and Para 3.11.4 of FTP																		
3. Exports eligible for High Tech Products Export Promotion Scheme (Row 1 minus Row 2)																		
Incremental Exports during the incremental year (Column 3 – Column 2)																		
7	I / We fully understand that any statement made in this certificate, if proved incorrect or false, will render me / us liable to face any penal action or other consequences as may be prescribed in law or otherwise warranted.																	

Place: _____	Signature of CA/ ICWA / CS: _____
Date: _____	Name of the Signatory: _____
	Address: _____ _____
	Membership No: _____
	Email Address: _____

If any of documents of record mentioned in serial number (i) have not been maintained / furnished, examined or verified, they may please be specified below:-

- 1)
- 2)
- ...

Annexure A to Public Notice No. 107(RE-2008)2004-2009 Dated 11th November, 2008

Annexure 1 to CA certificate annexed to ANF 3F

Statement of Export of all High Tech Products taken together

(Kindly see the complete list of High Tech Products as notified in Appendix 37E)

For the Base Year:					
(please specify the Base Year)					
Sr. No.	High Tech Products Code (as given in Appendix 37E)	Shipping Bill Number	Date of Export as per Para 9.12 of HBP v1	Item Description as per Shipping Bill (including ITC HS Code, if specified in Appendix 37E)	FOB Value of Eligible exports in (as per BRC / FIRC in Rupees)

For the Incremental Year:					
(please specify the incremental Year)					
Sr. No.	High Tech Products Code (as given in Appendix 37E)	Shipping Bill Number	Date of Export as per Para 9.12 of HBP v1	Item Description as per Shipping Bill (including ITC HS Code, if specified in Appendix 37E)	FOB Value of Eligible exports in (as per BRC / FIRC in Rupees)

Place: _____	Signature of CA/ ICWA / CS: _____
Date: _____	Name of the Signatory: _____
	Address: _____ _____
	Membership No: _____
	Email Address: _____ _____