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(PART-I, SECTION-1)

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

PUBLIC NOTICE NO. 131 (RE-2008) /2004-2009
NEW DELHI DATED THE 13.1.09 January, 2009

In exercise of powers conferred under Paragraph 2.4 of the Foreign Trade Policy 2004-2009, the Director General of Foreign Trade hereby makes the amendment in the Handbook of Procedures, v1 (RE 2008):

1. Appendix 22A related to "Bank Certificate of Exports and Realisation (BRC)" and the ANF 4G related to "DEPB application form" stand replaced by the amended Appendix 22A & ANF 4G annexed to this Public Notice as Annexure I & II respectively.

This issues in Public interest.

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

(Issued from File. No. 01/94/180/ 561/AM09/ PC 4).

Annexure I to Public Notice No. 131 dated 13.1.2009.

ANF 4G

DEPB application

[Please see guidelines (given at the end) before filling the application]

1. IEC Number

2. Applicant Details

i. Name
ii. Address

3. RCMC Details
i. RCMC Number
ii. Date of Issue
iii. Issuing Authority
iv. valid upto
Product(s) for which registered

4. Type of Exporter (please tick)	(☒)
i. Merchant Exporter	
ii. Manufacturer Exporter	
iii. Service Provider	
iv. Others (please specify)	
v. Merchant cum Manufacturer	

5. Application Fee Details
Amount (Rs)
Demand Draft / Bank Receipt / Electronic Fund Transfer No
Date of Issue
Name of the Bank on which drawn
Bank Branch on which drawn

6 FOB Value of exports (inclusive of commission)
i. In Rupees
ii. In freely convertible currency

7. DEPB Claimed
i. In Rupees (in words)
ii. In Rupees (in figures)

8. Port of Registration (for the purpose of imports):
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9. Details of export made:

Sl No.	SB*/ PPR** No.	SB* / PPR** Date	Date of Let Export	BRC No.	BRC Date	Invoice No.	S.No. of Invoice	Product Group	DEPB Sr. No.	Item Description	FOB Value in free foreign exchange (inclusive of commi-ssion)	Excha-nge rate on the date of let export	FOB value (in Rs.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14) = (12)x (13)

* SB – Shipping Bill

Computation of Capped Value					DEPB rate	DEPB entitlement (without cut)	Cut applicable (if any)	Actual DEPB Entitlement
Unit of Measurement in the unit of value cap	Export Qty in U/M	Value Cap	FOB perU / M	Capped Value	(in %)	(in Rs)	(in %)	(in Rs)
(15)	(16)	(17)	(18)= (14) / (16)	(19)={ minimum of (17) and (18)} or (18) as the case may be	(20)	(21) = (16) * (19) * (20) / 100	(22)	(23) = (21) *{ 1 – [(22)/100]}

Note: In case there is no value cap on the product, the capped value would be equal to the FOB value per unit of measurement (U/M) as at Column (18) of the table above. Else it would be the minimum of Columns (17) and (18).

DECLARATION / UNDERTAKING

1. I / We hereby declare that the particulars and the statements made in this application are true and correct to the best of my / our knowledge and belief and nothing has been concealed or held there from. If found incorrect or false, it will render me / us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
2. I/We undertake to abide by the provisions of FT(D&R) Act, the Rules and Orders framed there under, the FTP, HBP v1, HBP v2 and the ITC(HS) Classification of Export & Import Items.
3. I / We hereby certify that none of the Proprietor/ Partner(s) / Director(s) / Karta / Trustee of the firm / company, as the case may be, is / are a Proprietor / Partner(s) / Director(s) / Karta / Trustee in any other firm / Company which has come to the adverse notice of DGFT.
4. I / We hereby certify that the Proprietor/Partner(s)/Director(s)/Karta/Trustee, as the case may be, of the firm/company is/are not associated as Proprietor/Partner(s)/Director(s)/Karta/Trustee in any other firm/company which is in the caution list of RBI.
5. I / We hereby declare that I/we have perused the list of SCOMET items as contained in the Appendix 3 to the Schedule 2 of the ITC (HS) Classifications of Export-Import Items, 2004-09 and that the item(s) exported / proposed to be exported does not fall within this list and that I/ We agree to abide by the provisions of the

Policy for export of SCOMET items contained in the Foreign Trade Policy, Schedule 2 of ITC (HS) and the HBP v1, irrespective of the scheme under which the item is exported / proposed to be exported (the underlined portion will be deleted in case an application for export license for SCOMET item is being filed).

6. I / We hereby declare that no export proceeds are outstanding beyond the prescribed period as laid down by RBI or such extended period for which RBI permission has been obtained.
7. I hereby certify that I am authorised to verify and sign this declaration as per Paragraph 9.9 of the FTP.

Signature of the Applicant Name Designation Official Address Telephone(s)	Place: Date:
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Telephone No.
Residential Address
Email Address

GUIDELINES FOR APPLICANTS

[Please see paragraph 4.43 of HBP v1]

1. Two copies of the application must be submitted unless otherwise mentioned. In case application is filed through digital signature, no hard copy is required.
2. Each individual page of the application has to be signed by the applicant.
3. RCMC details need not be given if the same has already given at the time obtaining IEC.
4. Application must be accompanied by documents as per details given below:
 - a. Bank Receipt (in duplicate) / Demand Draft/EFT details evidencing payment of application fee in terms of Appendix 21B.
 - b. Export Promotion (EP) copy of Shipping Bill(s). In case of exports to SEZ Units/Developer/ Co-developer of SEZ, Bill of Export may be accepted in lieu of Shipping Bill.
 - c. Bank Certificate of Exports and Realisation as given in Appendix 22A or Foreign Inward Remittance Certificate (FIRC) in the case of direct negotiation of documents or Appendix 22 D in the case of offsetting of export proceeds with the approval of RBI. In case of FIRC, a declaration from the exporter that the remittance is in respect of Shipping Bill(s) No _____ dated _____ shall also be furnished. However, realisation of export proceeds shall not be insisted if the shipments are made against confirmed irrevocable letter of credit or bill of exchange is unconditionally Available / Co- Accepted/ Guaranteed by a bank and the same is confirmed by the exporters bank and certified by the bank in column 14/15 of Appendix 22A. For status holders, irrevocable letter of credit would suffice.
- d. In case of supply by DTA unit to a unit in SEZ, either a separate Certificate from the bank of the Receiving unit or specific endorsement in the BRC evidencing payment in Rupee made from the Foreign Currency Account of SEZ unit.***

Annexure II to Public Notice No. 131 dated 13.1.2009.

APPENDIX 22 A

BANK CERTIFICATE OF EXPORT AND REALISATION

FORM NO. 1

To _____ (Name and address of Regional Authority) We _____ (Name and address of the Exporters) hereby declare that we have forwarded a documentary export Bill to _____ (Name and address of the bank i.e., Branch and City) for collection/negotiation/purchase as per particulars given hereunder.

Invoice	Export promotion	Description of	Bill of Lading /PP	Destination of	Bill amount
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		Copy of Shipping Bill duly authenticated by the Customs		Copy of goods as given in the customs authenticated Shipping Bill and the Commercial Invoice / Packing List	Receipt/ Airways Bill		Country name	CIF/C&F/FOB (In foreign exchange)
No.	Date	No.	Date		No.	Date		
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]

Freight amount as per Bill of lading/ Freight memo	Insurance amount as per insurance Company's bill/ Receipt	Commission/ Discount paid/ payable	Whether the export is in freely convertible currency or in Indian Rupees	FOB value/ FOB value actually realised in free Foreign Exchange/Rupees	Date of realisation of export proceeds	GRI/PP/ SDF form No.	No. date & category of applicable Licence/Authorisation
[10]	[11]	[12]	[13]	[14]	[15]	[16]	[17]

We further declare that the aforesaid particulars are correct. (Copies of invoices relevant to these exports and Customs attested EP, Copy of relevant Shipping Bill is attached for verification by the bank).

Signature of the exporter :

Name in block letters :

Place:
Date:

Designation :

Full official address :

Official Seal/stamp Full Residential address :

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BANK's CERTIFICATE

Authorised Foreign Exchange Dealer

Code No. allotted to the Bank by RBI _____

Ref.No. _____

Date _____

Place _____

1. This is to certify that we have verified the relevant Export Invoices, Customs attested E.P. Copy of the Shipping Bill and other relevant documents of M/s._____. We further certify that the particulars given in Co.1 to 17 have been verified and found to be correct. We have also

verified the F.O.B. value mentioned in Col.14 above with reference to following documents:-

- (i) Bill of Lading/PP receipt/Airways Bill
- (ii) Insurance policy/Cover/Insurance Receipt.

2. FOB actually realized and date of realization of export proceeds are to be given in all cases except where consignment has been sent against confirmed irrevocable letter of credit or exports made against the Government of India/EXIM Bank Line of Credit or exports made under Deferred Payment/Suppliers Line of Credit Contract backed by ECGC Cover. An endorsement to that effect needs to be endorsed in BRC.
3. We have also verified that the date of Export is _____. (Applicable only in respect of Exports by air.)
4. This is to certify that we have certified the amount of the Commission paid/payable, as declared above, by the exporter i.e. _____ (in figures and words) with G.R. Forms and found to be correct.

[Signature of the Banker(s)]

Full address of the Banker(s)
Branch and City
Official Stamp

Note:

1. Bank can issue a consolidated certificate (consignment-wise) for more than one consignment.
2. FOB actually realised and date of realisation of export proceeds are to be given in all cases except where consignment has been sent against confirmed irrevocable letter of credit.
3. This shall be required wherever specifically prescribed in the Policy/ procedure.
4. ***Banks referred in this Appendix shall also include other authorized dealers who have been permitted by RBI to issue BRC. Applicant should be required to furnish a copy of RBI permission circular/letter to this effect.***