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(PART-I, SECTION-I)
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE
DIRECTORATE GENERAL OF FOREIGN TRADE

PUBLIC NOTICE NO.34 (RE-2005) /2004-2009

NEW DELHI, DATED THE 27th July, 2005

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 following amendments in the Handbook of Procedures (Vol. I):

1. Paragraph 4.43B shall be amended as under:

“ An application for grant of credit for supplies from DTA to SEZ can be made by the DTA Unit or the SEZ Unit. The DTA unit may claim the benefits either from the Licensing Authority or the Development Commissioner concerned. In case, claim has been filed with the Licensing Authority, the Licensing Authority while allowing the benefits to the DTA unit will simultaneously endorse a copy of the communication to the concerned Development Commissioner along with the details of export documents against which benefits have been allowed for confirmation of the transaction involved. In case, the DTA supplier prefers claim with the Development Commissioner, the Development Commissioner will verify the Denied Entity List(DEL) status of the supplier from the DGFT website before allowing DEPB benefits. The SEZ unit will file application with the Development Commissioner concerned”.

An application for grant of credit shall be made in the ‘Ayaat Niryaat form’ along with the following documents:

- (1) Bank receipt (in duplicate)/demand draft evidencing payment of application fee in terms of Appendix 21B.
- (2) A copy of bill of exports issued by Customs in the SEZ.
- (3) A copy of invoice showing FOR value of supply, DEPB entitlement on such supply and total value realized from such sale.
- (4) Bank certificate of realization in the form given in Appendix 22B.
- (5) In case an SEZ unit opts to apply for the DEPB benefit for such supplies received, a disclaimer certificate from DTA unit declaring that the DTA unit shall not claim any benefit and authorising the SEZ unit to claim DEPB benefits on such supplies”.

(2) Sub-paragraph 7.17.2 shall be amended as under:-

“7.17.2 Notwithstanding the above, SEZ units/SEZ developers shall, on production of a suitable disclaimer from the DTA supplier, be eligible for obtaining the entitlement of drawback or DEPB in lieu or drawback as per the procedure prescribed in sub-para 4.43B of Handbook”.

This issues in Public interest.

(K.T.Chacko)
Director General of Foreign Trade and
Ex Officio Additional Secretary to the Government of India

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