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(PART-I, SECTION-1)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

PUBLIC NOTICE NO.53(RE-98)/1997-2002

NEW DELHI: 6th Nov, 1998

In exercise of powers conferred under paragraph 4.11 of the Export and Import Policy, 1997-2002, as notified in the Gazette of India extraordinary, Part-II- Section 3 – Sub- section (ii) vide S.O No. 283(E) dated 31.3.97, the Director General of Foreign Trade hereby makes following amendment in the Handbook of Procedures (Vol.1) (RE-98), 1997-2002:

1. The following shall be added at the end of paragraph 7.28B.

"However, for value wise shortfall in export obligation, the licence holder shall, for the regularisation surrender to the licensing authority Special Import Licence of a value equivalent to four times the CIF value of imports on prorata basis".

2. The following shall be added after the word Public Sector Undertaking at the end of paragraph 4.24:

"Manufacturer exporter registered with excise authority with export of Rs.1 crore and above in preceeding year and who has not been penalised under the Customs Act, Excise Act, Foreign Trade(Development and Regulation) Act, 1992 and FERA".

3. The following shall be added at the end of paragraph 6.7(i):

"However, such cases shall not be required to be put up before the EPCG scheme Committee as stated in paragraph 6.8. The concerned licensing authority shall issue EPCG licences based on the No Objection Certificate produced from the concerned Development Commissioner.

4. The following new entries shall be added in as agencies in Appendix 51-A for issuance of Certificate of Origin (non preferential) as per Annexure A enclosed.

5. The following shall be added after the column No. VI in Appendix 16A as S.No. VI(i).

VI (i) FOB VALUE OF EXPORTS

Rupees (lakhs) US\$)(Thousand)

1 st year																	
2 nd year																	
3 rd year																	
4 th year																	
5 th year																	
Total																	

6. The following shall be added after the column No. XI in Appendix 16A as S.No. XI(i).

XI(i) EXPORT OBLIGATION ON SOFTWARE UNITS

The export obligation on the software units on net foreign exchange terms on US dollar value will be as follows:

Export obligation = 1.5 x CIF value of the HW imported including software + 1.5 x wage bill.

Notes: The obligation on the hardware (HW) part will be fulfilled over a period of four years. The obligation is also applicable on the software imported.

The obligation on the wage bill is on annual basis.

Net Foreign Exchange for this purpose is governed by the definition given in the Software Policy announced in 1986 which states:

"Net Foreign Exchange earned for this purpose is defined as foreign exchange inflow as a result of software exports less foreign exchange outflow on account of expenditure other than initial hardware and/or software imports.

This issues in public interest.

Sd/-

(N.L.Lakhanpal)

Director General of Foreign Trade

Copy to all concerned,

By orders etc.

(Ajay Sahai)

Jt. Director General of Foreign Trade

(F.No. 01/94/180/243/AM99/Pol.IV)

Annexure A

ANDHRA PRADESH

1. All India Crochet Lace Exporters Association
Narsapur, West Godavari,
A.P – 534275

BANGALORE

1. Central Silk board
CSB complex, B.T.M.Layout,
Madivala,
Bangalore – 560068

GUJARAT

8. Shri Sortha Chamber of & Industry
"Opposite Port Office" Vakhariay Bazar, Veraval,
Gujarat-362265
9. Ferderation of Gujarat Industries,
Federation Building,
RC Dutt road, Baroda,
Gujarat-390007

HARYANA

1. Faridabad industries Association
Bata Chowk, industrial area,
Faridabad – 121001

KERALA

4. Ermaculam Chamber of Commerce,
P.B.No.2530, Chamber corner,
Shanmugham road,
Ermaculam –682 031

5. Cochin Chamber of Commerce & Industry,
P.NB.No.503, Bristow Road, Willington Island,
Cochin 682 003

6. Indian Chamber of Commerce and industry,
P.B.No. 236, Kottukulam Road,
Cochin- 682 003

7. Malbar Chamber of Commerce
Chamber house, Cherooty Road,
P.B.No.1113, Calicut: 673032

KARNATAKA

2. Belagum Chamber of Commerce & Industry,
Udyambad, khanpur road,
Plot No. 48-49,
Balagum- 590008

PONDICHERRY

1. Chamber De Commerce
1, Rue Suffren, P.B.No.39,

Pondicherry – 605001

PUNJAB

1. Chamber of industrial & Commercial undertaking,
Gill road,
Ludhiana – 141 003

RAJASTHAN

3. Rajasthan Chamber of Commerce & Industry,
Rajasthan Chamber bhawan,
M.I.Road,
Jaipur - 302003

TAMILNADU

6. Chamber of Commerce
The palace road,
Trissur – 680020

UTTAR PRADESH

4. Avadh Chamber of Commerce & Industry,

Harbahram Kripa Devi Trust Building,
Charbagh,
Lucknow: 226004

5. Associated Chamber of Commerce &
Industry of Uttar Pradesh
C-107, Indira Nagar,
Lucknow- 226 016
(for a period of one year only)

West Bangal

8. Merchant Chamber of Commerce
15-B, Hemanta basu Sarani,
Calcutta-1