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(PART-I, SECTION-1)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

PUBLIC NOTICE NO. 59(RE-98)/1997-2002

Dated the 24th December, 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 may be added at the end of paragraph 4.19:

"However, duplicate copy of freely transferable Advance licence and DEPB may be issued against an application accompanied by the following documents.

- a. An application with a fee equivalent to 10% of duty saved.
- b. A copy of FIR reporting the loss.
- c. A copy of the original affidavit on notorised stamp paper.
- d. Indemnity Bond on stamp paper undertaking to indemnify the revenue loss to the Government which may be caused on account of issue of duplicate licenses backed by appropriate Bank Guarantee.

The licensing authority, before issuing the licenses shall obtain the report regarding utilisation of the licenses from the Customs authority at the port of registration mentioned in the original license. The duplicate license shall be issued only for the balance which remained unutilised as per the report furnished by the Customs authority at the port of registration.

The validity of duplicate license shall be coterminus with the original license and therefore no request shall be entertained if the validity of the original license has expired.

The 10% duty saved amount in DEPB will be equivalent to 10% of the available credit balance on the lost DEPB whereas for Advance licence, the amount shall be calculated on the basis of duty saved amount for the balance quantity and proportionate CIF value as per the information available in column-22 of Appendix-11B of Handbook of Procedures.

2. The following shall be added after paragraph 7.50:

7.51	Issuance of DEPB against lost EP copy of the Shipping Bills	In cases where EP copy of the Shipping Bills has been lost, the DEPB claim can be considered subject to submission of the following documents. 1. A duplicate copy of the Shipping Bill issued by the Customs authority in lieu of original lost. 2. An application fee equivalent to 10% of the DEPB entitlement in respect of lost Shipping Bills. 3. All the prescribed documents in original. 4. An affidavit by the exporter about the loss of Shipping Bills and promising that the same would be surrendered to the concerned licensing authorities immediately, in case, the same is subsequently found. 5. An indemnity bond is to be executed by the exporter to the effect that he would indemnify the Government for the financial loss if any on account of DEPB issued against lost Shipping Bill. 6. A certificate from the concerned Customs authority that no clearance has been allowed in respect of DEPB issued against the lost original Shipping Bill.
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The claim against the lost Shipping Bill shall be preferred within a period of six months from the date of exports and application received thereafter will be rejected.

This issues in public interest.

Sd/-

(N.L.Lakhanpal)

Director General of Foreign Trade

(Ajay Sahai)

Jt. Director General of Foreign Trade

(File No. 01/94/180/00375/AM99/PC-IV)