

TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY

(PART-I, SECTION-1)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

PUBLIC NOTICE NO. 61 (RE-98)/1997-2002

NEW DELHI: 24.12.98

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 as paragraph 12.13 and 12.14 after the paragraph 12.12 :

12.13 : Hotels, Travel agents, Tour operators, Tourist transport operators eligible for recognition as Export House/Trading House/ Star Trading House/ Super Star Trading House in terms of paragraph 12.12(B) of the Policy shall file an application in Appendix-19B alongwith the specified documents. However, in partial modification of paragraph 12.2(a), the last date for filing application shall be 31st March, 1999. An application for grant of status shall be made by the registered office/Head office or a branch office. Where the applicant is the branch office, it shall furnish an authority letter from the registered office/Head office clearly indicating that registered office/ head office or its branches have not made any other application for such status.

The recognition certificate shall be issued either on gross foreign exchange earnings (direct and indirect sources) or NFE basis, at the option of the service provider. Such irrevocable option, exercised at the time of filing the application, shall be endorsed on the certificate by the issuing authority. Such certificate shall be valid for SIL claim on current year basis and shall be accordingly endorsed on the certificate.

12.14: Hotels, Travel agents, Tour operators, Tourist transport operators eligible for SIL

in terms of paragraph 12.12(B) of the Policy shall file the application for SIL in Appendix –20G of the Handbook.

- a. Such applications shall be filed on 6 monthly basis against foreign exchange earned during April-September and October-March.
- b. Such application shall be filed within a period of 6 months from the end of six monthly period of foreign exchange earned or within 90 days following the grant of recognition certificate whichever is later.
- c. Such application shall be considered by licensing authorities concerned on NFE or gross foreign exchange earnings (direct and indirect sources) basis as per the endorsement on the certificate.

2. The enclosed Annexure 'A' shall be added as Appendix 19B after Appendix 19A.

3. The enclosed Annexure 'B' shall be added as Appendix 20G after Appendix 19A.

This issues in public interest.

Sd/-

(N.L.Lakhanpal)

Director General of Foreign Trade

(Ajay Sahai)

Jt. Director General of Foreign Trade

(File No. 01/94/180/00301/AM98/PC –IV)

Annexure A

APPENDIX- 19-B

APPLICATION FOR GRANT OF EXPORT HOUSE/TRADING HOUSE/STAR TRADING HOUSE/SUPER STAR TRADING HOUSE TO
HOTELS, TRAVEL AGENTS, TOUR OPERATORS, TOURIST TRANSPORT OPERATORS

Note:

1. Please see Paragraph 12.12B of the Policy and Paragraph 12.13 of this Handbook.
2. Please read the general instruction given at Appendix 1 before filling this application.
3. In addition to 2 copies of this application form, please also submit Appendix-1 A (in duplicate) alongwith this application.-----

FOR OFFICIAL USE

File No.:----- Date:-----

1. Name and address :

2. I E Code Number :

3. Application for :

EH/TH/STH/SSTH

4. Branches (In India/Abroad) :

S.No. Name of the Place/Country Code

PART - I

7. Statement of gross foreign exchange earning direct and indirect sources (Licensing year wise): (applicable for FOB criterion only)

Licensing year	Category of service provider	Description of services provided to tourist.	gross foreign exchange earnings (direct and indirect sources)
1	2	3	4

PART - II

8. Statement of net foreign exchange earnings direct and indirect sources (Licensing yearwise) (applicable for NFE criterion only)

Licensing year	Category of service provider	Description of service rendered to foreign tourist.	Gross value in free foreign exchange earning (direct and indirect sources)	CIF value of all licences issued (licensing year wise) except EPCG licenses, Special Import Licence and licenses surrendered within the period of validity.	NFE earning yearwise (direct and indirect sources) (col.4-5)
1	2	3	4	5	6

DECLARATION

- I/We hereby declare that this application is based on the the foreign exchange earning direct and indirect of the preceeding three licensing years/preceeding licensing year on gross foreign exchange /NFE basis.
- I/ We further certify that I/ We am/ are authorised to verify and sign the statement on behalf of the applicant.
- I/ We fully understand that any information furnished in the above statement, 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.
- I/We further declare that I/We has/have not applied nor obtained any recognition certificate as Export House/Trading House/ Star Trading House/Super Star Trading House from any other authority.

Signature_____

Name in Block Letters_____

Designation_____

Place_____ Full Official Address_____

Official

Date_____ Stamp/ Seal Full Residential Address_____

CERTIFICATE OF CHARTERED ACCOUNTANT/COST AND WORKS ACCOUNTANT/ COMPANY SECRETARY

I/We hereby confirm that I/We have examined the prescribed registers and also the relevant records of M/s..... for the licensing period(s) and hereby certify that :

- i. M/sand (applicable for gross foreign exchange earnings) FOB criterion only) namely M/s..... (full name and address of the applicant) have earned foreign exchange earning direct and indirect sources each of the three preceding licensing years/during the preceding licensing year as specified in the statement of exports at Sl.No.7.
- ii. The following documents/records have been furnished by the applicant and their above mentioned subsidiary company and have been examined and verified by me/us namely: Bank Certificate of direct foreign exchange earning, FIRC's, certificate from international credit card companies etc. and C.A certificate for the indirect sources.
- iii. The net foreign exchange (direct and indirect sources)has been arrived at by deducting the following from the gross value of foreign exchange earnings (direct and indirect sources): (applicable for NFE criterion only)

CIF value of all licences issued (licensing yearwise) except EPCG licences, Special Import Licence and licences surrendered within the period of their validity

To this effect, I/We have examined and verified all the relevant documents like import licences, Bills of Entry, invoices, letters of credit etc.'
- iv. The relevant register has been authenticated under my/our seal/signature.
- v. The financial information given in the above statement is in agreement with the relevant register and records; the same has been incorporated in the books of accounts maintained by M/s..... and their above mentioned subsidiaries ; and is also true and correct.
- vi. It has been ensured that the information furnished is true and correct in all respect; no part of it is false or misleading and no relevant information has been concealed or withheld;
- vii. Neither I, nor any of my partners is a partner, director, or an employee of the above-named entity or its associated concerns;

viii. 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.

Signature.....

Place..... Tel.No.

Official

Date..... Stamp/ Seal

Regn. No. and Date of the

Corporate Membership.....

Documents to be enclosed with the application form:

1. Self certified copy of a) project approval or b) classification approval of Department of Tourism.
2. A certificate from Chartered Accountant/Cost and Works Accountant certifying the export/import performance in the prescribed format.
3. Self declaration regarding irrevocable option to claim the benefit either on gross value foreign exchange earnings, direct and indirect sources, FOB or on NFE, direct and indirect sources basis.

Annexure B

APPENDIX - 20 G

APPLICATION FORM FOR CLAIMING SPECIAL IMPORT LICENCE IN CASE OF HOTELS, TRAVEL AGENTS, TOUR OPERATORS, TOURIST TRANSPORT OPERATORS.

Note:

- 1. Please see Paragraph 12.14 of this Handbook.
- 2. Please read the general instructions given at Appendix 1 before filling this application.
- 3. In addition to this application form, please also submit Appendix-1 A (in duplicate) alongwith this application.

----- FOR OFFICIAL USE

File No.:----- Date:-----

1. Name and address of the applicant : _____

2. I.E.C Number : _____

3. Application fee : : Rs. _____

Bank Receipt/

DD No _____

Date: _____

Issued by _____

(APPLICABLE ONLY FOR CLAIMS ON GROSS FOREX EARNINGS (DIRECT AND INDIRECT SOURCES BASIS))

4. Gross Foreign exchange earnings, direct and Indirect sources

(during April – Sept _____, :Rs. _____
October - March _____)

5. Details of service:

Total qualifying gross foreign exchange value direct & indirect (in Indian rupees)	SIL rate (%age)	Entitlement (Rs.)
(1)	(2)	(3)

6. Value of licence : Rs. _____
claimed (in words & figures)

PART - B

(APPLICABLE ONLY FOR CLAIMS ON NFE BASIS)

The CIF value of all licences issued (licensing yearwise) except EPCG licences, Special Import Licence and licences surrendered within the period of their validity is Rs. _____ during April - September _____/October- March _____.

8. Details of NFE realised:

Total qualifying gross foreign exchange earnings value direct and indirectNFE (1-2)	SIL rate (% age)	Entitlement (Rs.)		
(1)	(2)	(3)	(4)	(5)

Note: The CIF value of only those licences is to be deducted which are issued during the period (April-September_____ or October - March)_____) against which SIL is claimed.

9. Value of licence claimed : Rs. _____

(in words and figures)

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 therefrom.

2. I/We fully understand that any information furnished in the application if proved incorrect or false will render me/us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
3. I/We undertake to abide by the provisions of the Foreign Trade (Development and Regulation) Act, 1992, the Rules and Orders framed thereunder, the Export and Import Policy and the Handbook of Procedures.
4. I hereby certify that I am authorised to verify and sign this declaration as per Paragraph 3.8 of the Policy.

Place : Signature of the Applicant: _____

Date :

Name: _____

Designation: _____

Official Address: _____

Tele.No.:

Residential Address: _____

CERTIFICATE OF CHARTERED ACCOUNTANT/COST AND WORKS ACCOUNTANT FOR ISSUE OF SPECIAL IMPORT LICENCE TO HOTELS, TRAVEL AGENTS, TOUR OPERATORS, TOURIST TRANSPORT OPERATORS.

I/We hereby confirm that I/We have examined the prescribed registers and also the relevant records of M/S _____ for the period _____ and hereby certify that:

- i. M/S. _____ (full name and address of the applicant) have earned foreign exchange earning direct and indirect during April-September _____ /October - March _____ (whichever is applicable)
- ii. CIF value of all licences issued (licensing year wise) except EPCG licence/Special Import Licence and the licences surrendered during the validity period is Rs _____ .
- iii. The following documents/ records have been furnished by the applicant and have been examined and verified by me/us namely :-

- a. Bankers certificates, FIRC's, certificate from international credit card companies of direct foreign exchange earnings and CA certificate for indirect foreign exchange earnings.
- b. Import licences issued to them (Applicable in case of claims on NFE basis).
- iv. The relevant registers have been authenticated under my/ our seal/ signature.
- v. The financial information given in the above statement is in agreement with the relevant register and records; the same has been incorporated in the books of accounts maintained by the service provider ; and is also true and correct.
- vi. It has been ensured that the information furnished is true and correct in all respect; no part of it is false or misleading and no relevant information has been concealed or withheld;
- vii. Neither I, nor any of my partners is a partner, director, or an employee of the above-named entity or its associated concerns;

(viii) I/We fully understand that any statement made in this certificate, if proved incorrect or false, will render me/us liable for any penal or other consequences as may be prescribed in law or otherwise warranted.

(Signature and Stamp/ Seal of the Signatory)

(Chartered Accountant/ Cost & Works Accountant)

Name of the Signatory :

Full Address :

Place :

Membership No. :

Date :

Tel.No. :

Documents to be enclosed with the application form:

- 1. Bank Receipt (in duplicate) /Demand Draft evidencing payment of application fee in terms of Appendix-34.
- 2. Self certified copy of a) project approval or b) classification approval of Department of Tourism.
- 3. A Self attested copy of the valid SSTH/STH/TH/EH certificate as the case may be.

