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1. Measures to revive investors' interest in SEZs.

1.1 A package of measures has been formulated to revive investors' interest in SEZs and to boost exports. The salient features of the package are:-

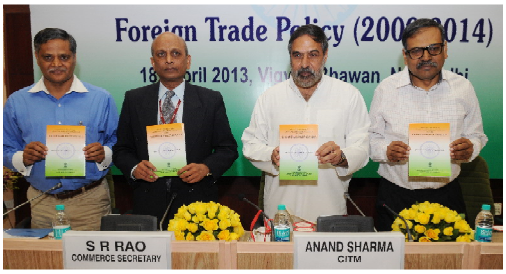
(i) In view of the acute difficulties in aggregating large tracts of uncultivable land for setting up SEZs, while ensuring vacancy and contiguity, we have decided to reduce the **Minimum Land Area Requirement** by half. For Multi-product SEZ from 1000 hectares to 500 hectares and for Sector-specific SEZ from existing 100 hectares to 50 hectares.

(ii) To provide greater flexibility in utilizing land tracts falling between 50-450 hectares, it has been decided to introduce a **Graded Scale for Minimum Land Criteria** which would permit a SEZ an additional sector for each contiguous 50 hectare parcel of land. This will also bring about more efficient use of the infrastructure facilities created in such an SEZ.

(iii) Further flexibility to set up additional units in a sector specific SEZ is being provided by introducing **Sectoral broad-banding** to encompass similar / related areas under the same sector.

(iv) On the issues relating to **Vacancy of Land**, while the existing policy allows for parcels of land with pre-existing structures not in commercial use to be considered as vacant land for the purpose of notifying an SEZ, it has now been decided that additions to such pre-existing structures and activities being undertaken after notification would be eligible for duty benefits similar to any other activity in the SEZ.

1.2 IT Exports constitute a very significant part of India's exports and IT SEZs have a major contribution in it. Exports from IT SEZs during financial year 2012-13 have exceeded Rs. 1.40 lakh crore registering a growth of over 70% over the previous year's exports. We have specifically addressed issues to boost growth of this very important sector and also to give a fillip to employment and growth in Tier-II and Tier-III cities.



DGFT Pujari, Comm Secy SR Rao, Minister Anand Sharma and Secy Rev Sumit Bose

(i) The present requirement of 10 hectares of minimum land area has been done away with. Now there would be **no minimum land requirement** for setting up an IT/ITES SEZ. Only the **minimum built up area criteria** would be required to be met by the SEZ developers.

(ii) The minimum built up area requirement has also been considerably relaxed with the requirement of one lakh square meters to be applicable for the 7 major cities viz: Mumbai, Delhi (NCR), Chennai, Hyderabad, Bangalore, Pune and Kolkata. For the other Category B cities 50,000 square meters and for remaining cities only 25,000 square meters built up area norm will be applicable.

1.3 The present SEZ Framework does not include an **Exit Policy** for the units and feedback was that this was perceived as a great disadvantage. It has now been decided to permit transfer of ownership of SEZ units, including sale

2. Zero Duty Export Promotion Capital Goods (EPCG) Scheme

2.1 Foreign Trade Policy has two variants under this scheme, namely, Zero Duty EPCG for few sectors and 3% Duty EPCG for all sectors. During the last announcement on 5th June, 2012, a new Post Export EPCG Scheme was also announced which was notified on 18 February, 2013 by the CBEC. Based on the request of all stakeholders, Government has decided to harmonize Zero Duty EPCG and 3% EPCG Scheme into one scheme which will be a Zero Duty EPCG Scheme covering all sectors.

2.2 Following are the salient features of the Zero Duty EPCG Scheme:-

(i) Authorization holders will have export obligation of 6 times the duty saved amount. The export obligation has to be completed in a period of 6 years.

(ii) The period for import under the Scheme would be 18 months.

(iii) Export obligation discharge by export of alternate products as well as accounting of exports of group companies will not be allowed.

(iv) The exporters who have availed benefits under Technology Upgradation Fund Scheme (TUFS) administered by Ministry of Textiles, can also avail the benefit of Zero duty EPCG Scheme.

(v) The import of motor cars, SUVs, all purpose vehicles for hotels, travel agents, or tour transport operators and companies owning/operating golf resorts will not allowed under the new Zero Duty EPCG Scheme.

2.3 Reduced EO for Domestic Sourcing of Capital Goods

The quantum of specific Export Obligation (EO) in the case of domestic sourcing of capital goods under EPCG authorizations has been reduced by 10%. This would promote domestic manufacturing of capital goods.

2.4 Reduced EO for units in the State of Jammu & Kashmir

In order to encourage manufacturing activity in the State of Jammu & Kashmir, it has been decided to reduce the specific export obligation (EO) to 25% of the normal export obligation. Earlier, this benefit was announced on 5th June, 2012 in respect of units located in North Eastern Region and Sikkim. This provision is now being extended to J&K.

3. Widening of Interest Subvention Scheme

3.1 At present, 2% interest subvention scheme is available to certain specific sectors like Handicrafts, Handlooms, Carpets, Readymade Garments, Processed Agricultural Products, Sports Goods and Toys. The scheme had been further widened to include 134 sub-sectors of engineering sector. Government had also announced that the benefit of this scheme of 2% interest subvention could be available upto 31.03.2014.

3.2 Government has now decided to further widen the scheme to include items covered under Chapter 63 of ITC (HS) (other made up textile articles, sets, rags) and additional specified tariff lines of engineering sector items under the scheme. These sectors would be able to avail benefit under this scheme during the period from 01.05.2013 to 31.03.2014.

4. Widening the Scope of Utilization of Duty Credit Scrip

4.1 Duty Credit Scrips issued under Focus Market Schemes, Focus Product Scheme and Vishesh Krishi Gramin Udyog Yojana (VKGUY) can be used for payment of service tax on procurement of services within the legal framework of service tax exemption notifications under the Finance Act, 1994. Holder of the scrip shall be entitled to avail drawback or CENVAT credit of the service tax debited in the scrips as per Department of Revenue rules.

4.2 All duty credit scrips issued under Chapter 3 can be utilized for payment of application fee to DGFT for obtaining any authorization under Foreign Trade Policy. This benefit shall be available only to the original duty credit scrip holders. Duty credit scrip can also be paid for payment of composition fee and for payment of value shortfalls in EO under para 4.28 (b) of Hand Book of Procedure Vol. 1.

5. Market and Product Diversification

5.1 Norway has been added under Focus Market Scheme and Venezuela has been added under Special Focus Market Scheme. The total number of countries under Focus Market Scheme and Special Focus Market Scheme becomes 125 and 50 respectively.

5.2 Approximately, 126 new products have been added under Focus Product Scheme. These products include items from engineering, electronics, chemicals, pharmaceuticals and textiles sector.

5.3 About 47 new products have been added under Market Linked Focus Product Scheme (MLFPS). These products are from engineering, auto components and textiles sector. 2 new countries i.e., Brunei and Yemen have been added as new markets under MLFPS.

5.4 MLFPS is being extended from 01.04.2013 to 31.03.2014 for exports to USA and EU in respect of items falling in Chapter 61 and Chapter 62 of ITC(HS).

5.5 Exports of High Tech products would be incentived and it would be separately notified by 30th June, 2013.

5.6 The towns of Morbi (Gujarat) and Gurgaon (Haryana) have been added to the existing list of towns of export excellence for ceramic tiles and apparel exports respectively. These towns shall be eligible to get benefit under ASIDE Scheme.

6. Incremental Exports Incentivisation Scheme

6.1 Government has announced Incremental Export Incentivisation Scheme on 26.12.12 for the exports made during January 2013 to March 2013. This scheme is available for exports made to USA, EU and Asia. It has been agreed to extend this scheme for the year 2013-14. The calculation of the benefit shall be on annual basis under the extended scheme.

6.2 The Government has also agreed to include additional countries under Incremental Exports Incentivisation Scheme. 53 countries of Latin America and Africa have been added with the objective to increase India's share in these markets. The present exports to each of these markets is less than US $ 100 million.

7. Facility to close cases of default in Export Obligation

7.1 Requests have been received for grant of relief to close cases where there is default in export obligations pertaining to advance authorizations and EPCG authorizations. It has been decided to allow a facility to close such cases after payment of required duty, along with applicable interest. The duty + interest have to be paid within a limited period of six months from the date of notification of this scheme. The total payment shall not exceed two times the duty saved amount on default in Export Obligation.

8. Served from India Scheme (SFIS)

8.1 Service providers are entitled to duty credit scrips under Served from India Scheme at the rate of 10% of free foreign exchange earned during a financial year. The entitlement shall now be calculated on the basis of net free foreign exchange earned (i.e., after deducting foreign exchange spent from the total foreign exchange earned during the financial year).

8.2 Limited transferability of SFIS scrips shall be allowed by the Regional Authority within group company of the status holder provided the group company is manufacturer.

8.3 Service exporters who are also engaged in manufacturing activity are permitted to use SFIS duty credit scrip for importing/domestically procuring capital goods as defined in para 9.12 of FTP including spares related to manufacturing sector business of the service provider.

8.4 Hotels, travel agents, tour operators or tour transport operators and companies owning/operating golf resorts having SFIS scrip can import or domestically procure motor cars, SUVs and all purpose vehicles using SFIS scrips for payment of duties. Such vehicles need to be registered for "tourist purpose" only.

9. VKGUY Scheme

9.1 There is a limiting provision which restricts benefit of VKGUY to a reduced rate of 3% when a particular item avails drawback at more than 1% rate. It has been decided to delete para 3.13.3 of FTP.

9.2 Limited transferability of the Agri Infrastructure Incentive Scheme (AIIS) scrip from status holder to the supporting manufacturer (of the status holder exporter) who is neither a status holder nor has a unit in a Food Park (and is not a developer) shall be allowed. Such transfer from the status holder would be endorsed by the Regional Authority.

10. Status Holder Incentive Scheme (SHIS)

10.1 Status Holder Incentive Scheme (SHIS) was extended for the year 2012-13. The scheme will not be available for the year 2013-14. Regional Authority shall allow limited transferability of SHIS scrip within group company of the status holder provided the group company is a manufacturer.

11. Recredit of 4% SAD

11.1 Utilization of recredited 4% SAD scrips shall be allowed upto 30.09.13 as a trade facilitation measure. However, no further extension shall be considered by Government and this would be the last such opportunity. The importers are advised to make the initial payment of 4% SAD in cash in future if they want a refund.

12. Duty Free Import Authorization Scheme (DFIA)

12.1 Anti Dumping Duty and Safeguard Duty was exempted under DFIA Scheme. Exemption from payment of Anti Dumping Duty and Safeguard Duty shall henceforth not be available after endorsement of transferability of such authorizations

13. Import of Cars

13.1 Import of cars/vehicles is permitted through designated ports only. Now import of cars/vehicles would also be allowed at ICD Faridabad and Ennore Port (TN).

14. Improvement in quality and timeliness of Foreign Trade Data

14.1 Initiative been taken to improve quality and accuracy of foreign trade data. The release of

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Zero Duty Pre Export 2013-14 EPCG Customs Notification Notified

Ntfn 22 18.04.2013 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts goods specified in the Table 1 annexed hereto, from,-

(i) the whole of the duty of customs leviable thereon under the First Schedule to the Customs Tariff Act, 1975 (51 of 1975)**,** and

(ii) the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act, when specifically claimed by the importer.

2. The exemption under this notification shall be subject to the following conditions, namely:-

(1) that the goods imported are covered by a valid authorisation issued under the Export Promotion Capital Goods (EPCG) Scheme in terms of Chapter 5 of the Foreign Trade Policy permitting import of goods at zero customs duty;

(2) that the authorisation is registered at the port of import specified in the said authorisation and the goods, which are specified in the Table 1 annexed hereto, are imported within eighteen months from the date of issue of the said authorisation and the said authorisation is produced for debit by the proper officer of customs at the time of clearance:

Provided that the benefit of import of capital goods at concessional duty under this notification for creation of modern infrastructure shall be extended only to such retailers who have a minimum area of 1000 square metres:

Provided further that the catalyst for one subsequent charge shall be allowed, under the authorisation in which plant, machinery or equipment and catalyst for initial charge have been imported, except in cases where the Regional Authority issues a separate authorisation for catalyst for one subsequent charge after the plant, machinery or equipment and catalyst for initial charge have already been imported;

(3) that the importer is **not issued, in the year of issuance of zero duty EPCG authorisation, the duty credit scrips under Status Holder Incentive Scrip (SHIS) scheme under para 3.16 of the Foreign Trade Policy**. In the case of applicant who is Common Service Provider (herein after referred as CSP), the CSP or any of its specific users should not be issued, in the year of issuance of the zero duty EPCG authorisation, the duty credit scrips under SHIS. This condition shall not apply where already availed SHIS benefit that is unutilised is surrendered or where benefits availed under SHIS that is utilised is refunded, with applicable interest, before issue of the zero duty EPCG authorisation. SHIS scrips which are surrendered or benefit refunded or not issued in a particular year for the reason the authorisation has been issued in that year shall not be issued in future years also;

(4) that the authorisation for annual requirement shall indicate export product to be exported under the authorisation. The importer shall submit a **Nexus Certificate from an independent Chartered Engineer** (CEC) in the format specified in Appendix 32A of HBP (vol. I) notified under the Foreign Trade Policy, certifying nexus of imported capital goods with the export product, to the Customs authorities at the time of clearance of imported capital goods. A copy of the CEC shall be submitted to the concerned Regional Authority alongwith copy of the bill of entry, within thirty days from the date of import of the Capital Goods;

(5) that the goods imported **shall not be disposed of or transferred by sale or lease or any other manner till export obligation is complete**;

(6) that the importer executes **a bond** in such form and for such sum and with such **surety** or security as may be specified by the Deputy Commissioner of Customs or Assistant Commissioner of Customs binding himself to comply with all the conditions of this notification as well as to fulfill export obligation on Free on Board (FOB) basis equivalent to six times the duty saved on the goods imported as may be specified on the authorisation, or for such higher sum as may be fixed or endorsed by the Regional Authority in terms of Para 5.10 of the Handbook of Procedures Vol I, issued under para 2.4 of the Foreign Trade Policy, within a period of six years from the date of issue of Authorisation, in the following proportions, namely :-

SNo.	Period from the date of issue of Authorisation	Proportion of total export obligation
(1)	(2)	(3)
1.	Block of 1st to 4th year	50%
2.	Block of 5th to 6th year	50%

Provided that in case the authorisation is issued to a CSP, the CSP shall execute the bond with bank guarantee and the bank guarantee shall be equivalent to 100% of the duty foregone, and the bank guarantee shall be given by CSP or by anyone of the users or a combination thereof, at the option of the CSP:

Provided further that the export obligation shall be 75% of the normal export obligation specified above when fulfilled by export of following **green technology products**, namely, equipment for solar energy decentralised and grid connected products, bio-mass gassifier, bio-mass or waste boiler, vapour absorption chillers, waste heat boiler, waste heat recovery units, unfired heat recovery steam generators, wind turbine, solar collector and parts thereof, water treatment plants, wind mill and wind mill turbine or engine, other generating sets - wind powered, electrically operated vehicles – motor cars, electrically operated vehicles – lorries and trucks, electrically operated vehicles – motor cycle and mopeds, and solar cells:

Provided also that for **units located in Arunachal Pradesh, Assam, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura**, the export obligation shall be 25% of the normal export obligation specified above:

Provided also that **spares** (including refurbished or reconditioned spares), moulds, dies, jigs, fixtures, tools and refractory for initial lining, for the existing plant and machinery (imported earlier, under EPCG or otherwise), shall be allowed to be imported under the EPCG scheme subject to an export obligation equivalent to 50% of the normal export obligation specified above in case of separate authorisation issued, subject to the condition that the Cost, Insurance and Freight (CIF) value of import of the said spares etc. is limited to 10% of the CIF value of the plant and machinery imported under the EPCG authorisation or 10% of the book value of the plant and machinery imported earlier otherwise than under EPCG Scheme, as the case may be:

Provided also that where a **sick unit** is notified by the Board for Industrial and Financial Reconstruction (BIFR) or where a rehabilitation scheme is announced by the concerned State Government in respect of sick unit for its revival, the export obligation may be fulfilled within time period allowed by the Regional Authority as per the rehabilitation package prepared by the operating agency and approved by BIFR or rehabilitation department of State Government. In cases where the time period is not specified in the rehabilitation package, the export obligation may be fulfilled within the time period allowed by the Regional Authority which shall not exceed nine years:

Provided also that where the capital goods are imported for **technological upgradation** as per conditions specified in Para 5.8 of the Foreign Trade Policy, the export obligation shall be fixed equivalent to six times the duty saved on the capital goods imported as may be specified on the authorization, or for such higher sum as may be fixed by the Regional Authority, to be fulfilled within period of six years from the date of issue of authorization under the said para:

Provided also that export obligation of a particular block may be set off against the excess exports made in the said preceding block;

(7) that if the importer **does not claim exemption from the additional duty leviable** under section 3 of the Customs Tariff Act, 1975, the additional duty so paid by him shall not be taken for computation of the net duty saved for the purpose of fixation of export obligation provided the Cenvat credit of additional duty paid has not been taken;

(8) that the importer, including a CSP, produces within 30 days from the expiry of each block from the date of issue of authorisation or within such extended period as the Deputy Commissioner of Customs or Assistant Commissioner of Customs may allow, evidence to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs **showing the extent of export obligation fulfilled**, and where the export obligation of any particular block is not fulfilled in terms of the condition (6), the importer shall within three months from the expiry of the said block **pay duties of customs equal to an amount which bears the same proportion to the duties leviable on the goods, but for the exemption contained herein, which the unfulfilled portion of the export obligation bears to the total export obligation**, together with interest at the rate of **15%** per annum from the date of clearance of the goods;

(9) that where the importer **fulfills 75% or more of the export obligation** as specified in condition (6) (over and above 100% of the average export obligation) **within half of the period specified for export obligation** as mentioned in condition (6), **his balance export obligation shall be condoned** and he shall be

treated to have fulfilled the entire export obligation;

(10) that the capital goods imported, assembled or manufactured are installed in the importer s factory or premises and a **certificate from the jurisdictional Deputy Commissioner of Central Excise or Assistant Commissioner of Central Excise, as the case may be, is produced confirming installation** and use of the capital goods in the importer s factory or premises, within six months from the date of completion of imports or within such extended period as the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, may allow :

Provided that in case of import of spares, the installation certificate shall be produced within three years from the date of import:

Provided further that if the importer, including an importer who is a Common Service Provider (CSP), is not registered with the Central Excise or if the importer is a service provider (other than a CSP), as the case may be, he may produce the said certificate of installation and usage issued by an independent Chartered Engineer:

Provided also that in the case of manufacturer exporter and merchant exporter having **supporting manufacturer(s) or vendor(s)** or in the case of import of irrigation equipment for use in **contract farming** for export of agricultural products or in the case of importer rendering services, **the capital goods may be installed at the factory or premises of such other person** whose name and address is endorsed on the authorisation referred to in condition (1) and also on the shipping bills and where the bond for full difference of duty, if necessary, in terms of condition (6) with or without a bank guarantee, as the case may be, is executed by the importer and such other person binding themselves jointly and severally to fulfill the export obligation and all other conditions of this notification and to pay duty with interest at the rate of 15% per annum in case of default. This shall not apply to a CSP:

Provided also that agro units located in **Agri Export Zones** or service providers in Agri Export Zones may move the capital goods within the Agri Export Zones under intimation to the jurisdictional Deputy Commissioner of Central Excise or Assistant Commissioner of Central Excise, as the case may be, subject to the condition that the importer shall maintain accurate record of such movement;

(11) that the imports **and exports are undertaken through the seaports**, airports or through the Inland Container Depots or through the Land Customs Stations as mentioned **in the Table 2** annexed hereto or a Special Economic Zone notified under section 4 of the Special Economic Zones Act, 2005 (28 of 2005):

Provided that the Commissioner of Customs may, by special order or a public notice and subject to such conditions as may be specified by him, permit import and export through any other sea-port, airport, inland container depot or through a land customs station within his jurisdiction;

(12) that notwithstanding anything contained in condition (6) above, where the Regional Authority grants extension of block-wise period for any block(s) or overall period of fulfillment of export obligation up to a period of two years or regularization of shortfall in export obligation, not exceeding five percent of such export obligation, the said block-wise period or overall period of export obligation shall be extended or condoned by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be:

Provided that in respect of sick units referred to in the fifth proviso to condition (6) above, extension of overall period of export obligation shall not be allowed.

3. Where the goods specified in the Table 1 are **found defective or unfit for use**, the said goods may be re-exported back to the foreign supplier within three years from date of payment of duty on the importation thereof:

Provided that at the time of re-export, the goods are identified to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, to be the same as the goods which were imported.

Explanation – For the purpose of this notification,-

(A) **"Authorisation"** includes "Authorisation for Annual Requirement".

(B) **"Capital goods"** has the same meaning as assigned to it in Paragraph of 9.12 of the Foreign Trade Policy;

(C) **"Common Service Provider"** (CSP) means a service provider who is designated or certified as a Common Service Provider by the DGFT, Department of Commerce or State Industrial Infrastructural Corporation in a Town of Export Excellence;

(D) **"Export obligation"**,-

(I) means obligation on the importer to export to a place outside India, goods manufactured or capable of being manufactured or services rendered by the use of capital goods imported in terms of this notification and the export obligation shall be over and above the average level of exports achieved by the importer in the preceding three licensing years for the same and similar products within the overall export obligation period including the extended period, if any and such average shall be the arithmetic mean of export performance in the last three years for the same and similar products:

Provided that in case of export of goods relating to handicraft, handlooms, cottage, tiny sector, agriculture, animal husbandry, floriculture, horticulture, pisciculture, viticulture, poultry, sericulture, carpet, coir and jute, the importer shall not be required to maintain the average level of exports:

Provided also that in case of export of goods relating to aquaculture (including fisheries), the importer shall not be required to maintain the average level of exports subject to the condition that EPCG authorisation has been obtained for goods other than fishing trawlers, boats, ships and other similar items:

Provided also that the goods, excepting tools, imported under this notification by the aforesaid sectors, shall not be allowed to be transferred for a period of five years from the date of imports even in cases where export obligation has been fulfilled. Transfer of capital goods would, however, be permitted within the group companies, after fulfillment of export obligation but before five years from the date of imports, under intimation to Regional Authority and jurisdictional Central Excise Authority:

Provided also that exports made to such countries as notified by Director General of Foreign Trade, shall not be counted for fixing the average level of exports:

Provided also that exports against only such shipping bills which mention the authorisation number and date of the authorisation shall be counted for the fulfillment of the export obligation:

Provided also that in the case of authorisation issued to a CSP, -

(i) the reference to „importer in this Explanation shall be taken to mean a reference to „CSP and specific users whose details are informed prior to export by CSP to the Regional Authority;

(ii) for the exports by users of the common service to be counted towards fulfilment of export obligation of CSP, the respective shipping bills of the users of common service shall contain the authorisation details of the CSP and the concerned Regional Authority shall be informed about the details of the users prior to such export; and

(iii) the exports counted against the authorisation in terms of this notification shall not be counted towards fulfillment of other specific export obligations against all other authorisations issued under Chapter 5 of the Foreign Trade Policy, including para 5.22 of Handbook of Procedures Volume 1;

(II) shall be fulfilled through physical exports

No Capital Goods Import under Zero Duty EPCG for Power Sector

07-Ntfn(RE) 18.04.2013 (DGFT) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992) read with paragraph 1.2 of the Foreign Trade Policy 2009-2014, the Central Government hereby amends, with immediate effect, Para 5.1 of the Foreign Trade Policy (RE-2013)/2009-14.

A new sub-para (g) is being inserted after para 5.1(f) of FTP as under:

"5.1(g) Authorization under EPCG Scheme shall not be issued for import of any Capital Goods (including Captive plants and Power Generator Sets of any kind) for

i. Export of electrical energy (power)
ii. Supply of electrical energy (power) under deemed exports
iii. Use of power (energy) in their own unit, and
iv. Supply/export of electricity transmission services."

Effect of Notification

Import of Capital Goods for production/transmission of energy(power) will no longer be available.

and the export proceeds realised in freely convertible currency. However the following categories of supplies, shall also be counted towards fulfillment of export obligation:

(a) deemed exports, namely:

(i) supply of goods against Advance Authorisation/ Advance Authorisation for Annual Requirement/ Duty Free Import Authorisation (DFIA);

(ii) supply of goods to Export Oriented Units (EOUs) or Software Technology Parks (STPs) or Electronics Hardware Technology Parks (EHTPs) or Bio-Technology Parks (BTPs);

(iii) supply of goods to projects financed by multilateral or bilateral agencies or Funds as notified by the Department of Economic Affairs (DEA), the Ministry of Finance (MOF) under International Competitive Bidding (ICB) in accordance with procedures of those agencies or Funds, where legal agreements provide for tender evaluation without including customs duty; supply and installation of goods and equipments (single responsibility of turnkey contracts) to projects financed by multilateral or bilateral agencies or Funds as notified by DEA, MOF under ICB, in accordance with procedures of those agencies/Funds, where bids may have been invited and evaluated on the basis of Delivery Duty Paid (DDP) prices for goods manufactured abroad;

(iv) supply of goods to any project or purpose in respect of which the Ministry of Finance, by a notification, permits import of such goods at zero customs duty and the supply is made under ICB procedure;

(v) supply of goods to mega power projects as provided in sub-clause (ii) of clause (f) of para 8.2 of Foreign Trade Policy;

(vi) supply of goods to nuclear power projects through competitive bidding as provided in clause (j) of para 8.2 of Foreign Trade Policy;

(b) supply of ITA-1 items to Domestic Tariff Area, provided realization is in free foreign exchange;

(c) royalty payments received in freely convertible currency and foreign exchange received for Research and Development (R&D) services; and

(d) payments received in rupee terms for port handling services in terms of chapter 9 of the Foreign Trade Policy.

(E) **"Foreign Trade Policy"** means the Foreign Trade Policy, 2009-2014, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number G.S.R. 1293 (E) of the Government of India, Ministry of Commerce and Industry, Department of Commerce No.1 (RE – 2012) /2009-2014 dated the 5th June, 2012, as amended from time to time;

(F) **"Handbook of Procedures, Volume 1"** means the Handbook of Procedures Volume 1, 2009-14, published in the Gazette of India, Extraordinary, Part I, Section 1 *vide* public notice of the Government of India in the Ministry of Commerce and Industry, Department of Commerce, No.1 (RE – 2012) /2009-2014 dated the 5th June, 2012, as amended from time to time;

(G) **"Manufacture"** has the same meaning as defined in clause (f) of section 2 of the Central Excise Act, 1944 (1 of 1944);

(H) **"Regional Authority"** means the Director General of Foreign Trade appointed under section 6 of the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) or an officer authorised by him to grant an authorisation including a duty credit scrip under the said Act;

(I) **"Town of Export Excellence"** (TEE) means a selected town producing goods of Rs. 750 Crore or more based on potential of growth in exports. However, for TEE in handloom, handicraft, agriculture and fisheries sector the threshold limit would be Rs.150 Crore.

Table 1

SNo.	Description of goods
(1)	(2)
1.	Capital goods for pre-production, production and post production.
2.	Capital goods in Semi Knocked Down (SKD) / Completely Knocked Down (CKD) conditions to be assembled into capital goods by the importer.
3.	Spare parts of CIF value upto 10% of the CIF value of goods specified at Serial Nos.1 and 2 as actually imported and required for maintenance of capital goods so imported, assembled, or manufactured.
4.	Spare parts of CIF value upto 10% of the book value of the existing plant and machinery of the importer.

Table 2

SNo.	Port, ICD, LCS	Located at
1.	Seaports	Bedi (including Rozi-Jamnagar), Chennai, Cochin, Dahej, Dharamtar, Haldia (Haldia Dock complex of Kolkata port) Kakinada, Kandla, Kattupalli (Tamilnadu), Kolkata, Krishnapatnam, Ennore (Tamilnadu) and Karaikal (Union territory of Puducherry), Magdalla, Mangalore, Marmagoa, Muldwarka, Mumbai, Mundhra, Nagapattinam, Nhava Sheva, Okha, Paradeep, Pipavav, Porbander, Sikka, Tuticorin, Visakhapatnam and Vadinar.
2.	Airports	Ahmedabad, Bangalore, Bhubaneswar, Chennai, Cochin, Coimbatore, Dabolim (Goa), Delhi, Hyderabad, Indore, Jaipur, Kolkata, Lucknow (Amausi), Mumbai, Nagpur, Rajasansi (Amritsar), Srinagar, Trivandrum, Varanasi and Visakhapatnam.
3.	Inland Container Depots	Agra, Ahmedabad, Anaparthy (Andhra Pradesh), Babarpur, Bangalore, Bhadohi, Bhatinda, Bhilwara, Bhiwadi, Bhusawal, Chettipalayam (Tamilnadu), Chheharata (Amritsar), Coimbatore, Dadri, Dappar (Dera Bassi), Daulatabad (Wanjarwadi and Maliwada), Delhi, Dhannad Rau (District Indore), Dighi (Pune), Durgapur (Export Promotion Industrial Park), Faridabad, Garhi Harsaru, Gauhati, Guntur, Hyderabad, Irugur Village (Tamilnadu), Irungattukottai (SIPCOT Industrial Park, Kattrambakkam Village, Sriperumbudur Taluk, Kanchipuram District, Tamilnadu), Jaipur, Jallandhar, Jamshedpur, Jodhpur, Kanpur, Karur, Kheda (Pithampur, District Dhar), Kota, Kundli, Loni (District Ghaziabad), Ludhiana, Madurai, Malanpur, Mandideep (District Raisen), Marripalem Village (in Edlapadu Taluk of District Guntur), Miraj, Moradabad, Nagpur, Nasik, Patli (Gurgaon), Pimpri (Pune), Pitampur (Indore), Pondicherry, Raipur, Rewari, Rudrapur (Nainital), Salem, Singanalur, Surat, Surajpur, Talegaon (District Pune), Thudiyalur (Tamilnadu), Tirupur, Tondiarpet (TNPM) in Chennai, Tuticorin, Udaipur, Vadodara, Varanasi, Veerapandi (Tamilnadu) and Waluj (Aurangabad).
4.	Land Customs Stations	Agartala, Amritsar Rail Cargo, Attari Road, Changrabandha, Dawki, Ghojadanga, Hilli, Jogbani, Mahadipur, Nepalganj Road, Nautanva (Sonauli), Petrapole, Ranaghat, Raxaul, Singhabad and Sutarkhandi.

[F.No.605/10/2013-DBK]

Cars Manufactured Prior to 1st Jan 1950 can be Imported Free Subject to Actual User Condition

Subject: Import policy of cars manufactured prior to 1st January, 1950.

05-Ntfn(RE)
18.04.2013
(DGFT)

In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992), read with paragraph 2.1 of the Foreign Trade Policy, 2009-2014, as amended from time to time, the Central Government hereby makes the following amendments in Chapter 87 to ITC (HS) 2012, Schedule 1 (Import Policy):

2. Import policy of cars manufactured prior to 1st January, 1950 has been revised from 'restricted' to 'free'. Accordingly, a new paragraph is being inserted under Policy Condition 1 of Chapter 87 to ITC (HS) 2012, Schedule 1 (Import Policy). The new paragraph (III) will read as under:

"(III) Cars manufactured prior to 1st January, 1950 are free for import by Actual Users. Policy Condition (I) and (II) above shall not be applicable for these cars. However, such of the cars that would be plying on public roads will continue to be subject to Central Motor Vehicles Act, 1988 and Rules, 1989."

3. Effect of this notification

Import policy of cars manufactured prior to 1st January, 1950 is being revised from 'restricted' to 'free' for Actual Users with immediate effect.

ICD Faridabad and Ennore Port Notified for Import of New Vehicles

Subject: Addition of two new ports for import of new vehicles.

06-Ntfn(RE) 18.04.2013 (DGFT) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992), read with paragraph 2.1 of the Foreign Trade Policy, 2009-2014, as amended from time to time, the Central Government hereby amends Policy Condition 2 to Chapter 87 of ITC (HS) 2012, Schedule 1 (Import Policy) as under:

2. ICD, Faridabad and Ennore Port are added to the existing list of 10 Ports / ICDs through which import of new vehicles is permitted under Policy Condition 2(II)(d) of Chapter 87 to ITC (HS) 2012, Schedule 1 (Import Policy). Accordingly, Policy Condition 2(II)(d) of Chapter 87 is revised to read as under:

"The import of new vehicles shall be permitted only through the Customs port at Nhava Sheva, Kolkata, Chennai, Chennai Airport, Cochin, ICD Tughlakabad and Delhi Air Cargo, Mumbai Port and Mumbai Air Cargo Complex, ICD Talegaon Pune, ***ICD Faridabad and Ennore Port."***

3. Effect of this notification:

Two new Customs Ports, ICD, Faridabad and Ennore Port are added to the list of 10 existing ports for importing new vehicles.

Anti-dumping and Safeguard Duty Exemption to Advance Licence (DFIA) Available only Actual Users, No Exemption After Transfer

No Advance Authorizations for Energy Import

02-Ntfn(RE) 18.04.2013 (DGFT) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) read with paragraph 1.2 of the Foreign Trade Policy, 2009-2014, the Central Government hereby notifies the following amendments in the Foreign Trade Policy 2009-2014 to be incorporated in the Annual Supplement. This shall come into force w.e.f. 18th April, 2013.

(1) In Chapter 4 a new sub-para (d) after para 4.2.6(c) of FTP is being inserted to disallow exemption from Antidumping duty and Safeguard duty once a DFIA is made transferable. The sub para (d) to be inserted would read as under:-

"Exemption from Antidumping Duty and Safeguard Duty would be available on actual user basis only, i.e. before endorsement of 'transferability'."

(2) The word "energy" in second sentence of para 4.1.3.1 of the FTP stands deleted.

(3) In para 4A.16A of FTP inserted vide Notification No.30 dated 31.01.2013 in respect of Private/Public Bonded Warehouse the minimum value addition of 5% shall be only for DTA units and not SEZ units. Accordingly, the para may be modified as under:

"Private/Public Bonded Warehouses may be set up in SEZ/DTA for import and re-export of cut and Polished diamonds, cut and polished coloured gemstones, uncut & unset precious & semi-precious stones, subject to achievement of minimum VA of 5% by DTA units".

Effects of this Notification

Anti-dumping duty and safeguard duty would be leviable on goods imported against transferred DFIAs. Advance Authorisations will no more be available for import/supply of 'energy'. Value Addition in respect of SEZ (in respect of para 4A.16A of FTP) would be as per SEZ Act.

Zero Duty Concessions Extended to 5 Handloom Materials and Sports Goods

Ntfn 21 18.04.2013 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act,1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2012-Customs, dated the 17th March,2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i),*vide* number G.S.R.185 (E), dated the 17th March,2012, namely:-

In the said notification, in the Table,-

(i) against serial number 284, in column (3), after item (j), the following items shall be inserted, namely:-

"(k) Embroidery threads

(l) Sewing threads

(m) Poly wadding materials

(n) Quilted wadding materials

(o) Printed bags".

(ii) against serial number 521, in column (3),-

(a) for item (f) and entries relating thereto, the following item and entries shall be substituted, namely:-

"(f) PVC / Synthetic Rubber bladder for inflatable balls" ;

(b) for item (k) and entries relating thereto, the following item and entries shall be substituted, namely:-

"(k) TPU /PU leather cloth or TPU / PU laminated with cotton, for inflatable balls"

(c) after item (p), the following items shall be inserted, namely:-

"(q) PVC leather cloth for inflatable balls or sports gloves

(r) Latex foam for shin guard or goal keeper gloves or other sports gloves

(s) PEVA / EVA foil for shin guard or sports gloves

(t) Stitching thread for inflatable balls or sports gloves

(u) Printing ink for inflatable balls or sports gloves".

[F. No. 354/57/2013-TRU]

Validity of Zero Duty EPCG Authorisation Extended to 18 Months from 9 Months

Subject: Amendment in Para 2.12 of Handbook of Procedure Vol.I, 2009-2014.

04-PN(RE) 18.04.2013 (DGFT) In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy 2009-2014, the Director General of Foreign Trade makes the following amendment in paragraph 2.12 of Handbook of Procedure Vol.I, 2009-2014:

2. Currently, the validity of Zero duty EPCG Authorisation is 9 months. This is being enhanced to 18 months. Accordingly, Serial No. (ii) of Para 2.12 of Handbook of Procedure Vol.I, 2009-2014 is amended as under:

SNo.	Type of Authorisation	Validity Period
(ii)	Zero duty EPCG Authorisation	18 months

3. Effect of this Public Notice

Validity of Zero duty EPCG Authorisation will be 18 months from the date of issue. This will have immediate effect.

DGFT Extends Utilisation of 4% Re-credited SAD Till 30 Sept 2013 by Exporters

Subject: Procedure for refund / revalidation of DEPBs/Reward Scrips for re-credit of 4% CVD (SAD).

06-PN(RE) 18.04.2013 (DGFT) In exercise of powers conferred under Para 2.4 of the Foreign Trade Policy, 2009-14, the Director General of Foreign Trade hereby amends Paragraph 2.13.2A of the Handbook of Procedures (Vol.1), 2009-14 by substituting contents of the said para with the following:-

"(i) Only for the purpose of utilisation of re-credit of 4% Special Additional Duty (SAD) of customs, the freely transferable duty credit scrips (including DEPB), shall be deemed to have been revalidated till 30.09.2013. No further endorsement by the respective RA on such scrips shall be required.

(ii) If the consolidated certificate (Credit Note) has already been issued by Customs or gets issued by 30.06.2013, then the amount (4% SAD) indicated in the consolidated certificate by customs shall be deemed to have been re-credited in the scrips in such cases, without any further reference to any RA of DGFT. "

2. This is the last and final extension to use the re-credited scrips. No further extension shall be considered by the Government under any circumstances. Importers desirous of such refund in future must make the payment of SAD in cash.

Effect of Public Notice

The exporters will now be able to utilize 4% re-credited SAD till 30.09.2013. No further endorsement is required from RA for revalidation. No further extension would be considered.

Gold and Silver Tariff Value Down by US$50/10 gms and US$128/kg Respectively

39-Cus(NT) 17.04.2013 (DoR) In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise & Customs, being satisfied that it is necessary and expedient so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Customs (N.T.) dated, the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii) vide number S. O. 748 (E), dated the 3rd August, 2001, namely:-

In the said notification, for TABLE-1 and TABLE-2, the following Tables shall be substituted namely:-

"Table-1

SNo.	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value US $ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	827 (i.e. no change)
2	1511 90 10	RBD Palm Oil	857 (i.e. no change)
3	1511 90 90	Others – Palm Oil	842 (i.e. no change)
4	1511 10 00	Crude Palmolein	864 (i.e. no change)
5	1511 90 20	RBD Palmolein	867 (i.e. no change)
6	1511 90 90	Others – Palmolein	866 (i.e. no change)
7	1507 10 00	Crude Soyabean Oil	1094 (i.e. no change)
8	7404 00 22	Brass Scrap (all grades)	3986 (i.e. no change)
9	1207 91 00	Poppy seeds	4395 (i.e. no change)

Table-2

SNo.	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value (US $)
(1)	(2)	(3)	(4)
1	71	Gold, in any form in respect of which the benefit of entries at serial number 321 and 323 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	449 per 10 grams
2	71	Silver, in any form in respect of which the benefit of entries at serial number 322 and 324 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	762 per kilogram"

[F. No. 467/01/2013-Cus.V]

Exchange Rates for Customs Valuation

Rupee Gains to Rs. 54.50 for Customs Valuation on Imports w.e.f. 19 April 2013

40-Cus(NT) 18.04.2013 (DoR) In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 35/2013-CUSTOMS (N.T.), dated the 4th April, 2013 *vide* number S.O. 925(E), dated the 4th April, 2013, except as respects things done or omitted to be done before such super session, the Central Board of Excise and Customs hereby determines that the rate of exchange of conversion of each of the foreign currency specified in column (2) of each of Schedule I and Schedule II annexed hereto into Indian currency or *vice versa* shall, **with effect from 19th April, 2013** be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

		Imprted Goods		**Exported Goods**	
SNo.	Currency	Current	Previous	Current	Previous
Schedule I – Rate of exchange of one unit of foreign currency equivalent to Indian rupees					
1.	Australian Dollar	56.70	57.65	55.15	56.10
2.	Bahrain Dinar	147.50	148.60	139.20	140.20
3.	Canadian Dollar	53.55	54.35	52.10	52.85
4.	Danish Kroner	9.70	9.50	9.40	9.20
5.	EURO	72.10	70.55	70.25	68.75
6.	Hong Kong Dollar	7.05	7.10	6.90	6.95
7.	Kenya Shilling	66.35	66.15	62.25	62.25
8.	Kuwait Dinar	195.60	196.20	184.25	184.85
9.	Newzeland Dollar	46.35	46.40	45.10	45.15
10.	Norwegian Kroner	9.60	9.50	9.25	9.20
11.	Pound Sterling	83.95	83.15	81.90	81.15
12.	Singapore Dollar	44.30	44.45	43.25	43.40
13.	South African Rand	6.10	6.05	5.75	5.70
14.	Saudi Arabian Riyal	14.85	14.95	14.00	14.10
15.	Swedish Kroner	8.60	8.50	8.35	8.25
16.	Swiss Franc	59.25	58.10	57.70	56.45
17.	UAE Dirham	15.15	15.25	14.30	14.40
18.	US Dollar	54.50	54.90	53.55	53.90
Schedule II – Rate of exchange of 100 units of foreign currency equivalent to Indian rupees					
1.	Japanese Yen	55.75	58.95	54.30	57.35

[F.No.468/03/2013-Cus.V]

Cont'd..26

Press Note relating to Quick estimates has been compressed to 15 days after completion of the month to which it relates. The period of reporting by DGCIS about data on principal commodity-wise has been reduced from 2 ½ months to 1 month. Further transaction level (8 digit level) data is now available within a period of 2 months.

14.2 It has been decided that items falling under chapter 3 schemes for export incentive would be aligned with ITC (HS). This task has been completed by DGFT and it has been uploaded on the website of DGFT to seek feedback from the trade. Tade is requested to give their feedback by 17th May, 2013.

15. Second Task Force on Transaction Cost in International Trade

15.1 The report on Transaction Cost was released in Feb 2011. Implementation of its recommendation resulted into estimated reduction of transaction cost of approximately Rs 2495 Crores. Second Task Force on Transaction Costs has been constituted. The Committee would submit its report in six months

16. Electronic Data Interchange Initiatives

16.1 e-BRC system allows Transmission of realization of export proceeds details from banks to DGFT in electronically secured format. The system has been made mandatory with effect from 17th August, 2012. Up to 16th April, 2013, 31.2 lakh e-BRC have been uploaded on the website of DGFT by 81 banks. e-BRC data is also of use to different ministries/departments of Central Government and State Governments who have expressed interest in obtaining this data from DGFT. Government of Maharashtra and Delhi has started the process, as first movers, to use e-BRC data for processing VAT refund claims of exporters. E-BRC will improve the productivity of DGFT, Banks, Central and State Government department dealing with exporter/importers and will lead to substantial reduction of transaction cost and time

16.2 Reconciliation of export and bank documents at the time of closure of an Advance or EPCG Authorisation involved manual submission of many documents. Transmission of two key documents (Shipping bill from Customs and e-BRC from Banks) relating to Advance Authorization and EPCG Authorizations in secured electronic format to DGFT has established. Accordingly, DGFT has introduced the system of online Export Obligation Discharge certificate (EODC). Exporters can file EODC applications online. DGFT will also transmit all EODCs to DG Systems through a secured message exchange. This will obviate the need to have re-verification at the Custom's end. Reconciliation of export import/Closure of an authorization was document heavy process. With online EODC exporter can complete the formalities at DGFT online and may get quick clearances at the Customs on account of e-transmission of EODC from DGFT to Customs.

16.3 Message Exchange System for exchanging shipping data relating to Focus Product Scheme (FPS), Focus Market Scheme(FMS), Market linked Focus Product Scheme(MLFPS), Status Holder Incentive Scrip(SHIS), Served From India Scheme (SFIS)and Agri Infrastructure Scheme shall be established with DG Systems. This will allow exporters to quickly link (and not fill all details) Shipping bills received from Customs with

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See details in www.worldtradescanner.com

their applications for quick processing.

16.4 System for online issuance of Registration Certificate for export of Cotton, Cotton Yarn, Non-Basmati Rice, Wheat and Sugar has been introduced. This will allow quick issuance of Registration Certificates and easy monitoring.

16.5 An online system to resolve EDI issues has been established. The system generates a key number for each complaint for follow up.

16.6 A new online complaint resolution system relating to EDI issues has been devised where users can file online complaint. A key number for each complaint will be generated which can be followed up by the users and DGFT officials for early resolution of issues.

17. Ease of Documentation and procedural simplification

17.1 Submission of physical copies of IEC and Registration-cum-Membership Certificate (RCMC) with individual application has been dispensed with.

17.2 It has been decided to dispense with submission of hard copy of EP copy of shipping bills in case of (a) advance authorization, (b) duty free import authorization for grant of Export Obligation Discharge Certificate (EODC) if exports are made through EDI ports.

17.3 Application fee can be paid either in cash or through demand draft or through EFT. Now exporters/importers would be allowed shortly to utilize their credit card for payment of such application fee.

17.4 Existing procedures contained in para 2.20A of Handbook of Procedures related to execution of bank guarantee / legal undertaking stands deleted.

17.5 In order to facilitate IT exports, we have extended the facility of 'work from home' to STPI/ EOUs / BTPs / EHTPs.

18. Widening of items eligible for import for Handloom/Made ups and Sports Goods.

18.1 5 additional items (embroidery/sewing threads/poly/quilted bedding materials and printed bags) are included in the list of items which are allowed duty free within the existing limits upto 5% FOB value of exports of handloom made ups in preceding year or within the existing limit of upto 1% of FOB value of exports of cotton/man-made ups in preceding year.

(i) Similarly, 5 additional items have been added pertaining to sports goods exports. These 5 items are (i) PVC Leather Clot (to be used in the manufacture of Inflatable Balls & Sports Gloves), (ii) Latex Foam (to be used in the manufacture of Shin Guard & Goal Keeper Gloves & other Sports Gloves), (iii) Peva / Eva Foil (to be used in the manufacture of Shin Guard & Sports Gloves), (iv) Stitching Thread (to be used in the manufacture of Inflatable balls & Sports Gloves), (v)Printing Ink (to be used in the manufacture of Inflatable balls & Sports Gloves).

(ii) Item descriptions shall be amended, from Synthetic Rubber Bladder to PVC/Synthetic Rubber Bladders for Inflatable Balls and from PU Leather Cloth/PU laminated with cotton for Inflatable Balls to TPU/PU Leather cloth/TPU/ PU laminated with cotton for Inflatable Balls, in Notification No.12/2012 – [Cus (Sl.No.521 (f) and (k)] in relation to sports goods exports.

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