

Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan, New Delhi-110011

Policy Circular No. 8 /2009-2014 (RE 2013)

Dated: 25.10.2013

To

All Regional Authorities (RAs);
All Commissioners of Customs;
All Development Commissioners, SEZ
Exporting Community

Subject: Procedure for closure of cases of default in Export Obligation under Public Notice No.22 dated 12.08.13

Public Notice No.22, dated 12.08.2013, provides an option for redemption/ regularisation of old cases of default in export obligation under (a)Duty exemption; and (b) EPCG Scheme. Para (d) of this Public Notice provides that necessary procedure including a system of filing required reports by the respective RAs would be indicated separately.

2. The following procedure is accordingly prescribed:

- (i) An applicant intending to regularize the case has to pay custom duty and interest to the concerned Custom Authority and submit evidence in this regard to the concerned RA.
- (ii) Based on the evidence of such payment and other relevant documents, as required under HBP vol.1, concerned RA may close the case and issue a closure letter.
- (iii) Para (b) of Public Notice No. 22 (RE-2013)/2009-2014 dated 12.08.13 is applicable to all pending cases of EO default. Hence, even cases which have already been adjudicated (or pending adjudication), either originally or in appeal, can also be regularized under this Public Notice. The procedure for regularization of such cases would be as under:
 - (a) In respect of cases which have already been adjudicated (or pending adjudication) and where appeal has not been filed, firms will produce a copy of this closure letter from the concerned RA, to the Adjudicating Authority.
 - (b) In case an appeal has been filed, then this closure letter will have to be submitted to the Appellate Authority.

On submission of such closure letter Adjudicating Authority/Appellate Authority will decide on closure of such case/appeal and will inform the same to the firm and to the concerned RA.

- (iv) Facility under Public Notice No.22, dated 12.08.2013, is available only till 31.03.2014. This facility shall not be extended further. Hence, exporters may make use of this facility for closure of all pending cases.
- (v) RA's will send a monthly report on the cases closed under this Public Notice to DGFT Headquarters by the 5th of succeeding month. Reports for Advance Authorizations may be sent to latha.s@nic.in and reports for EPCG authorizations may be sent to dvsp.varma@nic.in. The proforma for reporting is as under:

Report from RA_____ for the Month of _____.

Sl.No.	F.No. in RA	Name of Authorization Holder	Number and Date of issue of Authorization	Custom Duty paid	Interest paid	Date of submission of request	Date of closure of case

3. This issues with the approval of DGFT.

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