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GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
(DEPARTMENT OF COMMERCE)
DIRECTORATE GENERAL OF FOREIGN TRADE

PUBLIC NOTICE No. 39 /2015-2020
NEW DELHI, DATE 13 September, 2018

Subject: One time relaxation for regularisation and issue of EODC for exports made prior to imports where Advance Authorisation issued for import of Natural Rubber/ Silk –reg

In exercise of powers conferred under paragraph 1.03 and 2.58 of the Foreign Trade Policy 2015-2020, the Director General of Foreign Trade hereby grants one time relaxation for regularisation of Advance Authorisations/DFIAs issued, where some inputs appear in Appendix-30A and Appendix-4J.

2. Various representations have been received from exporters of Silk and Rubber products that even though pre-import condition has not been specifically mentioned in Appendix-30A except for drugs, RAs are denying issuance of EODC on the assumption that items listed in Appendix-30A are subjected to pre-import condition and exports made prior to imports cannot be accounted. Exporters have also raised the issue related to retrospective amendment made through Public Notice-35 dated 11.09.2015 wherein pre-import condition on Natural Rubber was imposed w.e.f 01.04.2015. Representations were received in PRC for seeking relaxation where RAs did not impose '*Pre-import condition*' on the condition sheet attached to the Authorisations and EODC is being denied on account of violation of pre-import condition. In all such cases exports and imports have already been made without adhering to 'Pre-import Condition'. Exporters have sought relief in all such cases where exports have been completed within stipulated EO period as per authorisation and imports were made subsequently. They have represented that they should not be penalised for ambiguity in the Policy and Procedures and implementation thereof.

3. Therefore, taking into consideration the genuine hardship being faced by exporters, it has been decided to relax the conditions of Appendix-30A and Appendix-4J on Authorisations already issued for import of 'Natural Rubber' and 'Silk' where exports and imports have already been made within the stipulated period as per Authorisation. This facility is allowed only for regularisation and issue of EODC. This relaxation, however, shall be applicable only on the Authorisations where "pre-import condition" has not been specifically endorsed by RAs in the condition sheet attached to the Advance Authorisations/DFIAs and import and exports are completed within the stipulated validity of the Authorisation. However, no further imports or exports shall be allowed. This relaxation does not waive pre-import condition prescribed for availing IGST exemption on imports.

(Alok Vardhan Chaturvedi)
Director General of Foreign Trade
Ex-officio Additional Secretary, Government of India

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