

## **DGFT NOTIFICATION**

-COPY OF-

**NOTIFICATION NO.122(RE-2008)/2004-2009**

**Dated 19<sup>th</sup> August, 2009**

In exercise of powers conferred by Section 5 read with Section 3(2) of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) and also read with Para 1.3 and Para 2.1 of the Foreign Trade Policy, 2004-2009, (as amended from time to time), the Central Government hereby amends Appendix 3 of Schedule 2 of ITC (HS) Classification of Export and Import Items, 2004-2009.

2. Following shall be added below the first paragraph of Appendix-3:

“It is mandatory for all companies and their subsidiaries registered in India and all other business entities operating in India and involved in the manufacture, processing and use of Special Chemicals, Organisms, Materials, Equipment and Technologies (SCOMET) listed below to obtain permission of the Central Government before entering into any arrangement or understanding that involves an obligation to facilitate or undertake site visits, on-site verification or access to records/documentation, by foreign Governments or foreign third parties, either acting directly or through an Indian party or parties. Requests for such permissions shall be considered in the manner in which requests for export/import licence are considered.

Provided that where obligations involving site visits, on-site verification or access to records/documentation by foreign governments or foreign third parties are to be undertaken pursuant to a bilateral agreement or a multilateral treaty to which India is a party, the provisions of the relevant agreement or treaty shall apply.”

3. This issues in public interest.

Sd/-

(R.S. Gujral)

**Director General of Foreign Trade and  
Ex-Officio Additional Secretary to the Government of India**

**F.01/91/171/23/AM03/Export Cell**

**Issued by:**

**Ministry of Commerce and Industry**

**Department of Commerce**

**New Delhi**

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