

DGFT NOTIFICATION

-COPY OF-

NOTIFICATION NO.88(RE-2008)/2004-2009

Dated 26th February, 2009

In exercise of powers conferred by Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 (No. 22 of 1992) read with Para 1.3 of the Foreign Trade Policy, 2004-2009 (as amended from time to time), the Central Government hereby makes the following amendment in Foreign Trade Policy:

1. In Paragraph 3.8.2, the word “*realized*” wherever appearing, stands deleted. This change shall be effective for application filed from 1.4.2009 onwards.
2. In the Paragraph 3.11.2(b), the words “*realized as BRC/FIRC*” are replaced by the words ‘*in free foreign exchange*’. This change shall be effective for application filed from 1.4.2009 onwards.
3. Paragraph 4A.4 related to “*Nominated Agencies*” stands replaced by the following:

*Nominated agencies are MMTC Ltd, Handicraft and Handloom Export Corporation (HHEC), State Trading Corporation (STC), the Project and Equipment Corporation of India Ltd (PEC), **STCL Ltd, MSTC Ltd, Diamond India Limited (DIL), Gems & Jewellery Export Promotion Council (G&J EPC)**, Star Trading House (only For Gems & Jewellery sector) and Premier Trading House under Paragraph 3.5.2 of FTP and any other agency authorised by RBI. Exporters (except EOUs and units in SEZ) may obtain gold / silver / platinum from nominated agency(s). Procedure for import of precious metal by these agencies (other than those authorized by RBI and the Gems & Jewellery units operating under EOU and SEZ schemes) and the monitoring mechanism thereof shall be as per the provisions laid down in HBP v1 in this regard.*

A bank authorised by RBI is allowed export of gold scrap for refining and import standard gold bars as per RBI guidelines.

4. A new sub paragraph 3.12.9 shall be added after the sub-paragraph 3.12.8 as follows:

“3.12.9 *Duty Credit Scrips under Chapter 3 of FTP can also be utilized for payment of duty against imports under EPCG scheme provided the item is importable against the scrip.*”

5. Import Policy for the item ‘Worked Coral’ under ITC (HS) Code “9601 90 40) shall be amended to read as “Free” (instead of “Restricted”).
6. The figure “10000” mentioned in paragraph 3.5.2 against ‘Premier Trading House (PTH)’ stands replaced by “7500”.
7. In paragraphs 3.6.4.5 and 3.12.4, after the words “*freely importable*”, the words “*and / or restricted*” shall be inserted.
8. The 2nd sub-paragraph of paragraph 4.3.1 stands amended as follows:-

*“Credit shall be available against such export products and at such rates as may be specified by DGFT by way of public notice. Credit may be utilized for payment of customs duty on freely importable items **and / or restricted items**. DEPB scrips can also be utilized for payment of duty against imports under EPCG scheme.”*

9. The entry at Sl. No. 124, Chapter 30, regarding 'Pharmaceutical products' under Schedule 2 of ITC (HS) Classification of Export and Import Items stands amended as follows:

S. No.	Tariff Item HS Code	Unit	Item Description	Export Policy	Nature of Restriction
124	3002 10 11 3002 10 12 3002 10 13 3002 10 14 3002 10 19 3002 10 20 3002 10 91 3002 90 10 3002 90 20	Kg	Whole human blood plasma and all products derived from human blood except gamma globulin and human serum albumin manufactured from human placenta and human placental blood; Raw placenta; Placental blood plasma	Free	Exports permitted after obtaining No Objection Certificate (NOC) from Directorate General of Health Services under Ministry of Health.

10. Following sub para is added at the end of Para 3.10.2:

“However, special product(s)/sector(s), having high labour intensity, covered under Table 13 of Appendix 37D, shall be granted duty credit scrip equivalent to 5% of FOB value of exports., Admissible date of export for special product(s) / sector (s) shall also be notified in Table 13 of Appendix 37D of HBP v1.”

11. At the end of paragraph 6.22, following shall be added:

“An authorized person of Gems & Jewellery EOU may also import Gold in primary form, upto 10Kgs. in a financial year through Personal carriage, as per guidelines prescribed by RBI and Department of Revenue.”

12. At the end of sub-para 6.11(c)(iv), the following shall be added:

Re-imburement of additional duty of excise levied on fuel under the Finance Acts would also be admissible.

This issues in Public Interest.

Sd/-
(R.S. Gujral)
Director General of Foreign Trade
And Ex-Officio Additional Secretary to the Govt. of India

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