



**Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
New Delhi**

Public Notice No. 53 (RE-2008)/2004-2009

Dated 23rd July, 2008

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy 2004-09, Director General of Foreign Trade hereby makes the following amendments in the Handbook of Procedures (Vol. I) :

1. Second sentence of paragraph 6.10.1 shall be substituted as under :-
“NFE earnings shall be calculated cumulatively in the block period as per para 6.5 of FTP, according to the formula given below.”
2. In Appendix 14-I-A, entry against column XVI may be substituted as under :.
“Net Foreign Exchange Earning
Average NFE on FOB value of exports
in block period, as per para 6.5 of FTP -----”
3. In Appendix 14-I-E para (ii) shall be amended to read as under :
“The unit would be required to achieve positive NFE as prescribed in the EOU scheme for the block period as per para 6.5 of FTP, failing which it would be liable for penal action.”
4. In Appendix 14-I-F, clause 1 of the agreement shall be amended to read as :-
“The unit shall achieve positive NFE as per para 6.5 of FTP.”
5. In Appendix 14-I-G-
 - (a) Para 3(ii) and (iii) shall be substituted as under :
“(ii) For failure to achieve positive NFE, after completion of one year from the date of commencement of production, a cautionary letter may be issued; at the end of 3rd or subsequent year, Show cause notice will be issued if positive NFE is not achieved; after completion of block period as per para 6.5 of FTP, Development Commissioner would initiate penal action under the FT(D&R)Act, 1992. Final decision may be taken as far as possible within six months and positively within one year.”
 - (b) Para 3(iv) shall be renumbered as 3(iii).
6. In Appendix 14-I-H,-
 - (a) in para I (h), in the second sentence, the words “within a block of 5 years” shall be substituted by the words “within the block period as per para 6.5 of FTP”
 - (b) In Annexure A, and the Calculation Chart to be certified by Chartered Accountant, the words “last five years” wherever they appear, shall be substituted by the words “block period as per para 6.5 of FTP”

Sd/-
(R. S. GUJRAL)

Director General of Foreign Trade

(File No. 01/92/180/45/AM09/PC-VI)