

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

Notification No. 36 (RE-2007)/2004-2009

Dated 8th October, 2007

S.O.(E) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 read with paragraph 1.3 of the Foreign Trade Policy (FTP), 2004-2009, as amended, the Central Government hereby makes the following amendments in FTP, 2004-2009 (Updated as on 19.4.2007) :

1. Paragraph 5.4(i) related to Export obligation under EPCG scheme stands replaced by the following clause :

“Export obligation shall be fulfilled by export of goods manufactured/services rendered by the applicant.

*Export obligation under the scheme shall be, over and above, the average level of exports achieved by him in the preceding three licensing years for **the same and similar products** within the overall export obligation period including extended period, if any; except for categories mentioned in paragraph 5.7.6 of Handbook of Procedures, Vol. 1. Such average would be the arithmetic mean of export performance in last three years for the same and similar products.*

Export obligation may also be fulfilled by exports of other good(s) manufactured or service(s) provided by the same firm/company or group company/managed hotel which has the EPCG authorisation.

*However, in such cases, additional export obligation imposed shall be over and above average exports achieved by the unit/company/group company/managed hotel in preceding three years for **both the original and the substitute product(s)/service(s)** despite exemption in Para 5.7.6 of HBP v1.”*

Sd/-

(R. S. GUJRAL)

Director General of Foreign Trade

(F. No. 01/94/180/Pol. Form.-EPCG/FTP/AM08/PC-I)