



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

**Public Notice No. 76(RE-2006)/2004-2009**

Dated 18th December, 2006

In exercise of powers conferred under Paragraph 2.4 of the Foreign Trade Policy 2004-2009, the Director General of Foreign Trade hereby makes the following amendments in the Handbook of Procedure (Vol. I) :

**1. Paragraph 3.20.1 is amended to read as follows**

A single consolidated application for all exports through EDI enabled ports shall be filed by the Head Office in case of Proprietorship and Partnership Firms and Registered Office/Corporate Office in case of Private Limited and Public Limited Companies to the concerned Regional Authority in the Aayaat Niryaat Form along with the documents prescribed therein for grant of duty credit under Focus Market Scheme. The application shall be filed on a six monthly basis, i.e. April – September and October – March where realization has been made during the period of application. Exports made on or after 01.04.2006 shall be eligible for the benefits. In case of Advance Payment, date of exports shall be taken into account for inclusion in the period of application.

The application for claiming duty credit under the scheme shall be submitted within a period of six months from the last date of the period of the application (i.e. for the period of application April'06 to September'06, the last date of application shall be 31st March, 2007).

**2. Paragraph 3.20.3 is amended to read as follows**

The applicant shall be required to submit a proof of landing of the export consignment in the specified market.

The duty credit entitlement certificate shall be granted on FOB value realized as per BRC/FIRC. In cases where the applicant applies for the credit entitlement certificate after realization or shipments are made against irrevocable letter of credit or bill of exchange is unconditionally Avalised/Co-Accepted/Guaranteed by a bank and the same is confirmed by the exporters bank and certified by the bank in the relevant Bank Certificate of Export and Realization, the credit entitlement certificate shall be issued with transferable endorsement.

**3. Paragraph 3.20.4 is amended to read as follows**

The duty credit entitlement certificate shall be issued with a single port of registration. The port of registration shall be one of the ports, from which the exports have been made. However, the applicant may use the duty credit scrip for imports through any other port (that includes ICD/LCS) after obtaining TRA from the port of registration.

**4. The Application Form for Focus Market Scheme in the Aayaat Niryat Form is annexed as Annexure A.**

Sd/-  
(B. S. MEENA)  
Director General of Foreign Trade

(F. No. 01/94/180/0422/AM 07/PC-I)

*Annexure A*

**For Focus Market Scheme Applications  
Aayaat Niryat Form  
Guidelines for Applicants**

1. Two copies of the application must be submitted unless otherwise mentioned.
2. Each individual page of the application has to be signed by the applicant.
3. a. Part 1 & Part 4 has to be filled in by all applicants. In case of applications submitted electronically, no hard copies of Part 1 may be submitted. However in cases where applications are submitted otherwise, hard copy of Part 1 has to be submitted.  
b. Only relevant portions of Part 2 need to be filled in.
4. **Application must be accompanied by documents as per details given below :**

**XA. For Focus Market Scheme applications**

1. Bank Receipt (in duplicate)/Demand Draft/EFT details evidencing payment of application fee in terms of Appendix 21B. The fee will be paid in reference to the claim made as per Sub-Section XA - of this application.
2. Export promotion (EP) copy of Shipping Bill(s).
3. Bank Certificate of Exports and Realisation as given in Appendix 22A or Foreign Inward Remittance Certificate (FIRC) in the case of direct negotiation of documents or Appendix 22D in the case of offsetting of export proceeds with the approval of RBI. In case of FIRC, a declaration from the exporter that the remittance is in respect of Shipping Bill(s) No. \_\_\_\_\_ dtd. \_\_\_\_\_ shall also be furnished.
4. Copies of Export Order and Invoice.
5. As a proof of landing of the export consignment in the specified market, a self attested copy of import bill of entry filed by the importer in the specified market/delivery order issued by the port authorities/arrival notice issued by the goods carrier.

**Note :**

- (i) In cases where original EP copy of Shipping Bill(s)/Bill of export and/or Bank Realisation Certificate has been submitted for claiming benefits under any other scheme (wherever applicable), the application shall be accompanied by a self attested photocopy(s) of EP copy of Shipping Bill(s) and/or Bank Realisation Certificate. In such cases, the applicant shall also quote Reference No./File No. of the concerned Regional Authority where the original EP copy of Shipping Bill(s) and/or BRC have been submitted.
- (ii) In case where EP copy of the Shipping Bill has been lost, claim can be considered subject to submission of the following documents :-
  - (a) A duplicate/certified copy of the Shipping Bill issued by the Customs Authority in lieu of original;
  - (b) An application fee equivalent to 2% of the entitlement in respect of lost Shipping Bills. However, no fee shall be charged when the Shipping Bill is lost by the Government agencies and a documentary proof to this effect is submitted;
  - (c) An affidavit by the exporter about the loss of Shipping Bills and an undertaking to surrender it immediately to the concerned Regional Authorities, in case the same is found subsequently.
  - (d) An indemnity bond by the exporter to the effect that he would indemnify the Government for the financial loss if any on account of duty credit issued against lost Shipping Bills.
- (iii) The duty free credit entitlement under the scheme shall be granted to export of shipments through Customs EDI enabled ports only.

**PART 1**

**Note : Please state ‘Not Applicable’ wherever the information/data is not applicable to you.**

<b>1. IEC Details</b>
i. IEC Number
ii. Date of Issue
iii. Issuing Authority

<b>2. Applicant Firm Details</b>
i. Name
ii. Address(Registered Office in case of Companies and Head Office in case of Others)
iii. Address of all Branches/Divisions/Units/Factories located in India & abroad (attach extra sheet if required)
iv. Telephone
v. Email address (for correspondence with DGFT)

<b>3. Details of Proprietor/Partners/Directors/Karta/Trustee of the applicant firm (attach extra sheet if required)</b>
i. Name
ii. Father’s Name
iii. Residential Address
iv. Telephone

<b>4. Nature of Concern (please tick)</b>	(√)
i. Government Undertaking	
ii. Public Limited Company	
iii. Private Limited Company	
iv. Proprietorship	
v. Partnership	
vi. Others	

<b>5. Type of Exporter (please tick)</b>	(√)
i. Merchant Exporter	
ii. Manufacturer Exporter	
iii. Service Provider	
iv. Others (please specify)	
v. Merchant cum Manufacturer	

<b>6. Industrial Registration Details</b>
i. SSI/IEM/LOI or IL Registration Number
ii. Date of Issue
iii. Issuing Authority
iv. Products for which registered

<b>7. Service Tax Registration Details (in case of Service providers)</b>
i. Service Tax Registration Number
ii. Issuing Authority
iii. Services for which registered

<b>8. RCMC Details</b>
i. RCMC Number
ii. Date of Issue
iii. Issuing Authority
iv. Valid Up to
v. Products for which registered

<b>9. Status House Details</b>
i. One/Two/Three/Four/Five Star
ii. Certificate Number
iii. Date of Issue
iv. Issuing Authority
v. Valid Up to

<b>10. PAN Details</b>
i. PAN Number
iii. Issuing Authority

<b>11. Excise Details</b>
i. Excise Registration Number
ii. Issuing Authority

<b>12. VAT Details</b>
i. VAT Registration Number
ii. Issuing Authority

**13. Turnover Details for the preceding three licensing years**

FY	Annual Domestic Turnover (Rs. Lakhs)	Annual Export Turnover (Rs. Lakhs)

**PART 2**

<b>1. IEC Number</b>	
<b>2. Applicant Details</b>	
i. Name	
ii. Address	
<b>3. Application for (please tick the category for which the application is being made) :</b>	(√)
<b>I. Importer Exporter Code Number (IEC)</b>	
II. Import Licence for Restricted Items	
IIA. Import Certificate under Indo - US Memorandum	
III. Export Licence for Restricted Items	
IIIA. Export Licence for SCOMET Items	
IV. Star Export House Certification	
V. Advance Authorisation/DFRC	
VA. Gem Replenishment Authorisation	
VB. Diamond Imprest Authorisation	
VC. DEPB	
VD. Duty Free Import Authorisation	
VI. EPCG Authorisation	
VII. Served from India	
VIII. Vishesh Krishi And Gram Udyog Yojana (VKGUY)	
IX. Target Plus Scheme	
X. Claiming Duty Drawback on All Industry Rates/Fixation of Drawback Rates/Refund of Terminal Excise Duty	
<b>XA. Focus Market Scheme</b>	√
<b>XB. Focus Product Scheme</b>	
<b>4. Application Submission Details (in case of electronically submitted applications)</b>	
i. ECOM Reference Number	
ii. Date of Submission on Server	
iii. Submitted to which Regional Authority	
iv. File Number	
v. Date of Issue	
<b>5. Application Fee Details</b>	
Amount (Rs.)	
Demand Draft/Bank Receipt/Electronic Fund Transfer No.	
Date of Issue	
Name of the Bank on which drawn	
Bank Branch on which drawn	

**Note :**

- 1. Only one category of application may be made in the Form.**
- 2. In case of application for issue of IEC number, information at Serial No. 1 may be left blank.**

**SUB-SECTION XA**  
**(For Focus Market Scheme)**

**1. Details of exports for which payment realized during April to September/October to March\***

Sl. No.	Shipping Bill No.	Shipping Bill Date	Date of Export*	Port of Export***	ITC (HS) Code	Item Description	Focus Market Code
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

BRC/FIRC No.	Date of Realisation as per BRC/FIRC (or Date of Exports in case of Advance Payment)**	FOB Value as mentioned in BRC/FIRC	Rate of Entitlement	Entitlement (in Rs.)	Cut applicable (if any, i.e. supplementary and/or late cut) (in Rs.)	Focus Market Entitlement (in Rs.)
(9)	(10)	(11)	(12)	(13)	(14)	(15)
		2.5%	(13) = (11) *(12)			(15) = (13) – (14)

**2. Number of Split Certificates required (in multiples of Rs. 5 lakhs each).**

**3. Port of Registration (for the purpose of imports)\*\*\*.**

**4. Whether the application is for supplementary claim (another application for the same period of application which includes export shipments not included earlier) - Yes/No**

If yes, initial reference File No. \_\_\_\_\_

(\* Exports made on or after 1st April, 2006 and against which payment have been realized during the application period April to September/October to March. No further claims shall be allowed under the scheme against S/Bs included under Sl. No. 1 of Sub-Section XA above, even in case of part realizations.)

(\*\* In case of multiple dates of realization against a shipment, the last date of realization is to be mentioned in this column and this date shall be taken into account to determine the period of application (April-Sept./Oct.-Mar.). All the dates of this column should be in the period of application.)

(\*\*\* The port of registration shall be one of the ports from which the exports have been made.)

**PART 4**

**DECLARATION/UNDERTAKING**

1. I/We hereby declare that the particulars and the statements made in this application are true and correct to the best of my/our knowledge and belief and nothing has been concealed or held there from.
2. I/We fully understand that any information furnished in the application if found incorrect or false will render me/us liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
3. I/We undertake to abide by the provisions of the Foreign Trade (Development and Regulation) Act, 1992, the Rules and Orders framed there under, the Foreign Trade Policy, the Handbook of Procedures and the ITC (HS) Classification of Export & Import Items.
- 4a. I/We hereby certify that the firm/company for whom the application has been made has not been penalized under the Customs Act, Excise Act, Foreign Trade (Development & Regulation) Act 1992 and FERA/FEMA.
- 4b. I/We hereby certify that none of the Proprietor/ Partner(s)/ Director(s)/Karta/Trustee of the firm/company, as the case may be, is/are a Proprietor/Partner(s)/Director(s)/Karta/Trustee in any other firm/Company which has come to the adverse notice of DGFT.
- 4c. I/We hereby certify that the Proprietor/Partner(s)/Director(s)/Karta/Trustee, as the case may be, of the firm/company is/are not associated as Proprietor/Partner(s)/Director(s)/Karta/Trustee in any other firm/company which is in the caution list of RBI.



- 4d. I/We hereby certify that neither the Registered Office/Head Office of the firm/company nor any of its Branch Office(s)/Unit(s)/Division(s) has been declared a defaulter and has otherwise been made ineligible for undertaking import/export under any of the provisions of the Policy.
- 5. I/We hereby declare that I/We have not obtained nor applied for such benefits (including issuance of an Importer Exporter Code Number) in the name of our Registered/Head Office or any of our Branch(s)/Unit(s)/Division(s) to any other Regional Authority.
- 5A. I/We hereby declare that I/we have perused the list of SCOMET items as contained in the Appendix 3 to the Schedule 2 of the ITC (HS) Classifications of Export-Import Items, 2004-09 and that the item(s) exported/proposed to be exported does not fall within this list and that I/We agree to abide by the provisions of the Policy for export of SCOMET items contained in the Foreign Trade Policy, Schedule 2 of ITC (HS) and the Handbook of Procedures (Vol.1), irrespective of the scheme under which the item is exported/proposed to be exported (the underlined portion will be deleted in case an application for export license for SCOMET item is being filed).
- 6. I/We solemnly declare that I/We have applied for/obtained a RCMC to the Export Promotion Council which pertains to our main line of business. In case we have applied to any other council, the application has been made within the purview of the provisions of Para 3.12 and Para 3.12.1 of the Handbook of Procedures (Vol. 1).

**15(A). (Applicable in case of Focus Market Scheme only)**

- a. I/We hereby declare that no benefit under Focus Market Scheme was availed previously against Shipping Bills currently included in **Sub-Section XA** above for calculation of benefit under this application.
- b. I/we hereby declare that export product for which the benefit is being claimed under this application does not contain any shipment for which benefit under the **Focus Product Scheme** or under **Vishesh Krishi and Gram Udyog Yojana** has been claimed/will be claimed.
- c. I/we hereby declare that shipment for which benefit is claimed under this application contains only those export shipments exported through **Customs EDI enabled ports**.
- d. I/we hereby declare that shipment for which the benefit is being claimed under this application contains only those exports/shipments for which payments from abroad have been received in own name.
- e. I/we hereby declare that exports for which the benefit is being claimed does not include
  - (i) Export of imported goods covered under Para 2.35 of the Foreign Trade Policy or exports made through transshipment.
  - (ii) Export turnover of units operating under SEZ/EOU/EHTP/STPI/ BTP Schemes or supplies made to such units or products manufactured by them and exported through DTA units.
  - (iii) Deemed Exports.
  - (iv) Service Exports.
  - (v) Diamonds and other precious, semi precious stones.
  - (vi) Gold, silver, platinum and other precious metals in any form, including plain and studded Jewellery.
  - (vii) Ores and Concentrates, of all types and in all forms.
  - (viii) Cereals, of all types.
  - (ix) Sugar, of all types and in all forms.
  - (x) Crude/Petroleum Oil & Crude/Petroleum based Products covered under ITC HS codes 2709 to 2715, of all types and in all forms.
  - (xi) Supplies made to SEZs
  - (xii) Items that are restricted for export or prohibited for export under Schedule-2 of Export Policy in the ITC (HS) Classification of Export and Import items.

18. I hereby certify that I am authorised to verify and sign this declaration as per Paragraph 9.9 of the Policy.

Signature of the Applicant :

Place :

Name :

Date :

Designation :

Official Address :

Telephone :

Residential Address :

E-mail Address :