

Public Notice



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

Policy Circular No. 42 (RE 2004)/2002-2007

Dated 27th July, 2004

To
All Licensing Authorities
All Commissioners of Customs
All Exporters concerned

**DFRC with Actual User condition for inputs allowed
with prior import condition under SION**

Attention is invited to Notification No. 28 dated 28.01.04 wherein in paragraph 4.2.3 of the EXIM Policy it was stated that for products having Standard Input Output Norms which are subject to "actual user" condition or where the input(s) is allowed with prior import condition or for import of fuel under the general norms, DFRC will be issued with actual user condition for those inputs.

The purpose of the aforesaid amendment was to replenish the inputs utilised in the export product with actual user condition which were otherwise not available to exporters availing DFRC. In the aforesaid amended paragraph, the words "where the inputs(s) is allowed with prior import condition" were added inadvertently. Since DFRC is a post export replenishment scheme, a confusion seems to have arisen on the prior import condition vis-à-vis the post export replenishment.

The matter has been deliberated upon in this office and it has been decided to suitably amend the said clause allowing DFRC for inputs with prior import condition. In the meantime, it is clarified that no DFRC would be allowed for the inputs with prior import condition because it defeats the very purpose of prior import condition.

This issues with the approval of DGFT.

Sd/-
(AJAY SRIVASTAVA)
Joint Director General of Foreign Trade

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To
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All Commissioners of Customs

**Clarification on the revocation of
the DEPB rates suspended by
Public Notice No. 71 dated 12.07.2004**

1. Attention is invited to Public Notice No. 71 dated 12.07.2004 wherein the suspension of DEPB rates of notified products in the Engineering Product Group made vide Public Notice No. 54 dated 28.02.2004 and amended by Public Notice No. 56 dated 10.03.2004 was revoked.
2. Representations have been received from the trade and industry as to whether the revocation of the suspended DEPB rates is prospective or not.
3. It is hereby clarified that the revocation of the suspended DEPB rate is prospective in effect i.e. from 12.07.2004.
4. All the regional offices of the DGFT are to take action accordingly.

This issues with the approval of Director General of Foreign Trade.

Sd/-
(AJAY SRIVASTAVA)
Joint Director General of Foreign Trade