

DGFT PUBLIC NOTICE

-COPY OF-

PUBLIC NOTICE NO.86 (RE-2008)/2004-2009

Dated 23rd September, 2008

In exercise of powers conferred under Paragraph 2.4 of the Foreign Trade Policy 2004-09, the Director General of Foreign Trade hereby makes the following amendments in **Handbook of Procedures, Vol. I (RE 2008)**.

1. In the HBP v 1, Para 3.18 (b) is to be replaced as under:

“For FX earned during 2007-08 a single consolidated application for Duty Credit Scrip shall be filed with jurisdictional RA in ANF 3B along with documents prescribed therein. For FX earned during current financial year 2008-09, application for Duty Credit Scrip shall be filed on monthly/quarterly/half-yearly/ annual basis, at the option of the applicant to be exercised along with first application for the current financial year, with jurisdictional RA in ANF 3H along with documents prescribed therein, for which the last date for filing application on time shall be 12 months from the end of relevant monthly/quarterly/half-yearly/annual basis period or 31st March 2009 whichever is later.”

2. The last sentence of Para 3.23.10 is replaced as under:

“For SFIS of previous financial year, the last date shall be 31st December, 2008. For SFIS for current financial year, the last date shall be 6 months from the end of application frequency period.”

3. ANF 3H is as per **Annexure A** to this Public Notice.

This issues in Public interest.

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

F.No.01/91/91/180/611/AM09/PC3
Issued by:
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
New Delhi

Annexure A

ANF 3H

Application for Served from India Scheme (SFIS) for Current Financial Year
(for Foreign Exchange Earned during 2008-09)

1. IEC Number	
2. Applicant Details	
i. Name	
ii. Address	
3. RCMC Details	
i. RCMC Number	ii. Date of Issue
iii. Issuing Authority	iv. Valid upto
v. Products/Services for which registered - in terms of main line of business.	

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Shakun & Company (Services) Private Limited

4. Category of Service Provider (please tick)	
(√)	
i. Individual Service Provider	
ii. Hotels & Restaurants and other service Providers in Tourism Sector except Stand-alone restaurant.	

iii. Stand Alone Restaurant	
iv. All other Service Providers	

5. Frequency of Application: Monthly/Quarterly/Half Yearly/Annually (✓ the relevant option)

Note: Applicants are to exercise the option of applying on Monthly/Quarterly/Half Yearly/Annual basis along with the first application for the current financial year, and this frequency cannot be changed for application made on basis of FX earnings of the current financial year

6. Foreign Exchange Earned for rendering of Service from India to (outside India or In India) - as per frequency of application in Row 5 above.		
Sl. No.	Supply of Service by Service Provider	Foreign Exchange Earned (Rs) (Please specify the period)
1	Supply of a 'service' from India to any other country under Para 9.53 (i) of FTP.	
2	Supply of a 'service' from India to service consumer of any other country in India under Para 9.53 (ii) of FTP.	
3	Supply of a 'service' from India through commercial or physical presence in territory of any other country under Para 9.53 (iii) of FTP.	
4	Supply of a 'service' in India relating to exports paid in free foreign exchange under Para 9.53 (iv) of FTP by Category of Service Provider 4(ii) i.e. Hotels & Restaurants and other service Providers in Tourism Sector except Stand-alone restaurant.	
5	Supply of a 'service' in India relating to exports paid in Indian Rupees which are otherwise considered as having being paid for in free foreign exchange by RBI under Para 9.53 (iv) of FTP by Category of Service Provider 4(ii) i.e. Hotels & Restaurants and other service Providers in Tourism Sector except Stand-alone restaurant.	
6	Supply of a 'service' in India relating to exports paid in free foreign exchange under Para 9.53 (iv) of FTP by Category of Service Provider 4(i), 4(iii), and 4(iv) above.	
7	Supply of a 'service' in India relating to exports paid in Indian Rupees which are otherwise considered as having being paid for in free foreign exchange by RBI under Para 9.53 (iv) of FTP by Category of Service Provider 4(i), 4(iii) , and 4(iv) above.	
Total (Rs)		
Entitlement of SFIS (Rs) = [(5%*(Row 4 + Row 5) + 10%* (Total - (Row 4+ Row 5))]		

6. Port of Registration (for purpose of Imports):

7. Number of Split Certificates required (in multiples of Rs. 5 lakhs each):

8. Application Submission Details (in case of electronically submitted applications)	9. Application Fee Details
i. ECOM Reference Number	(i) Amount (Rs):
ii. Date of Submission on Server	(ii) Demand Draft/Bank Receipt/Electronic Fund Transfer No
iii. Submitted to which Regional Authority	(iii) Date of Issue
iv. File Number	(iv) Name of the Bank on which drawn
v. Date of Issue	(v) Bank Branch on which drawn

DECLARATION/UNDERTAKING

- I hereby declare that particulars and statements made in this application are true and correct and nothing has been concealed or held therefrom. I fully understand that any information furnished in application if found incorrect or false will render my firm/company and me liable for any penal action or other consequences as may be prescribed in law or otherwise warranted.
- I hereby certify that none of Proprietor/Partner(s)/Director(s)/Karta/Trustee of firm/company, as the case may be, is a Proprietor/Partner(s)/Director(s)/Karta/Trustee in any other firm/company which has come to adverse notice of DGFT. I further declare that under Foreign Trade (Development and Regulation) Act (FTDR Act) 1992, my firm/company have not been debarred in person from undertaking any export import business or activity by way of suspension or cancellation of IEC number. [If so debarred under FTDR Act, details of said order and period for which the same is operational may be provided].

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- I hereby certify that my firm/company has not defaulted from export obligation under any provisions of FTP and has not been placed under the Denied Entity List (DEL). [If under DEL List, kindly furnish details of order, current status etc.]

4. I hereby declare that details of exports of services of my firm/company are true and correct and in accordance with accounts maintained in my firm/company.
5. I hereby certify that foreign exchange earned on account of services rendered from India alone has been taken into account for this application under SFIS and these do not fall under any category or service which are not eligible as per Para 3.18.1 of HBP v1.
6. I further declare that other sources of foreign exchange earnings such as equity or debt participation, donations, repayment of loans and any other inflow of foreign exchange unrelated to service rendered has not been considered.
7. I hereby declare that benefits are being claimed for only those earnings in Indian Rupees which are otherwise considered as having been paid for in free foreign exchange by RBI.
8. I hereby undertake to submit to Regional Authority (with a copy to jurisdictional Excise Authorities), a statement of imports made under SF1S within one month of completion of imports or expiry of validity of duty credit scrip, whichever is earlier.
9. I hereby undertake that imports to be made under this duty credit scrip shall be related to any service sector business and I further undertake that such imported goods shall not be sold/transferred/disposed off in a manner in contravention to provisions of FTP. I further undertake to abide by provisions of Para 9.53 of FTP relating to supply of service from India.
10. I undertake to abide by provisions of FTDR Act, 1992, Rules and Orders framed thereunder, and FTP.
11. I hereby certify that I am authorized to verify and sign this declaration as per Paragraph 9.9 of FTP.

Place: _____	Signature: _____
Date: _____	Name: _____
Documents to be submitted	Designation: _____
1. Documentary evidence for payment of Application Fee	Official Address: _____ _____
2. CA/ICWA/CS certificate in format given in annexure to ANF 3B.	Telephone: _____
3. Documentary evidence of earnings in Indian Rupees which are otherwise considered as having been paid for in free foreign exchange by RBI should be produced.	Residential Address: _____ _____
Note: Each page of application has to be signed.	Email Address: _____

Annexure to ANF 3H

CERTIFICATE OF CHARTERED ACCOUNTANT (CA)
COST AND WORKS ACCOUNTANT (ICWA)/COMPANY SECRETARY (CS)

I hereby confirm that I have examined prescribed registers and also relevant records of M/s having IEC number..... for period of the current financial year 2008-09 (as per the frequency of application, please specify the month/quarter/half year/annum) and hereby certify that:

- (i) Following documents/records have been furnished by applicant individual/firm/company and have been examined and verified by me/us namely:-

Bills, Invoices, Forward Inward Remittance Certificates (FIRC)s, Bank Realization Certificates, Certificate from international credit card companies, and evidences of foreign exchange earnings as well as the connected books of accounts.
- (ii) Relevant accounting and financial register(s) as prescribed under different Acts and Rules made there under have been maintained and authenticated under my/our seal and signature.
- (iii) Information given by applicant in ANF 3H including details on Services rendered From India as per Appendix 10 of HBP v1 (with relevant sr. no. and description) is true and correct.

- (iv) Services for which benefits is claimed does not include ineligible services and remittances as listed under Para 3.18.1 of HBP v1.
- (v) It has been ensured that information furnished is true and correct in all respects; no part of it is false or misleading and no relevant information has been concealed or withheld;
- (vi) Neither I, nor any of my/our partners is a partner, director, or an employee of above-named entity, its Group companies or its associated concerns;

Place: _____	Signature of CA/ICWA/CS: _____
Date: _____	Name of the Signatory: _____
	Address: _____ _____ _____
	Membership No. _____
	Email Address: _____

(vii) **Certificate of Foreign Exchange Earned by Supply of Service from India to (outside India or In India) is as under:**

Certificate of Foreign Exchange Earned by Supply of Service from India to (outside India or In India)			
For the period (as per the frequency of application, please specify the month/quarter/half year/annum of the current financial year 2008-09)			
Sl. No.	Category of Service Provider	Sl. No. of Appendix 10 (within each category)	Foreign Exchange Earned (Rs)
1	Para 9.53 (i)	i) ...	
2	Para 9.53 (ii)	i) ii) ...	
3	Para 9.53 (iii)	i) ...	
4	Para 9.53 (iv) for Category 4(ii) of Sr. No 5 of ANF 3B	i) ii) ...	
5	Para 9.53 (iv) for Category 4(i), 4(iii), 4(iv) of Sr. No. 5 of ANF 3B	i) ii) ...	
6*	Para 9.53 (iv)* for Category 4(ii) of Sr. No. 5 of ANF 3B	i) ii) ...	
7*	Para 9.53 (iv) for Category 4(i), 4(iii), 4(iv) of Sr. No. 5 of ANF 3B	i) ii) ...	
Total Foreign Exchange Earned by Supply of Service from India to (outside India or In India) (Rs)			
*Earnings in Indian Rupees that are otherwise treated as deemed to be realized in free foreign exchange by RBI - See Para 9.53 (iv) of FTP.			

(vii) I fully understand that any statement made in this certificate, if proved incorrect or false, will render me liable to face any penal action or other consequences as may be prescribed in law or otherwise warranted.

Place: _____	Signature of CA/ICWA/CS: _____
Date: _____	Name of the Signatory: _____
	Address: _____ _____ _____

	Membership No. _____
	Email Address: _____

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