

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan, New Delhi.

Policy Circular No. 13 (RE-2012)/2009-14 Dated: 31st January, 2013

To

All Customs Authorities
All Regional Authorities,
Trade Associations.

Subject:- Declaration of Intent for claiming Chapter 3 benefits of Foreign Trade Policy – regarding.

Declaration of Intent for claiming benefit under Chapter 3 of Foreign Trade Policy (FTP) was made mandatory for all categories of shipping bills through Public Notice No. 82 dated 16.8.2010. This stipulation was to take effect from 01.01.2011.

2. The condition of mentioning “Declaration of Intent” on shipping bills of Chapter 4 (including drawback), 5 and 6 of FTP was dispensed w.e.f 3.6.2011 through DGFT Public Notice No. 53 dated 3.6.2011. Representations from Trade and Industry have been received for allowing Chapter 3 benefits in cases where shipping bills were filed under Chapter 4(including drawback), 5 and 6 Schemes of FTP for the period 01.01.2011 to 2.6.2011.

3. The matter has been examined. The request made by the exporters not to insist for “Declaration of Intent”, for the relevant export made with respect to Chapter 4 (Duty Exemption / Remission Schemes) including drawback, Chapter 5 (Export Promotion Capital Goods Scheme) or Chapter 6 [Export Oriented Units (EOUs), Electronics Hardware Technology Parks (EHTPS), Software Technology Parks (STPS) And Bio-Technology Parks (BTPS)] has considerable merit. Such shipping bills would have been assessed for valuation check by the Customs Authority. Accordingly, it has been decided to grant Chapter 3 benefits in respect of such cases, even though declaration of intent had not been mentioned.

4. Regional Authorities (RAs) may process such cases and allow Chapter 3 benefits where exporters have filed shipping bills under Chapter 4(including drawback), Chapter 5 and Chapter 6 of FTP for exports made during the period 01.1.2011 to 2.6.2011 even if they have not mentioned “Declaration of Intent” anywhere in the shipping bill.

5. Such requests for grant of Chapter 3 benefits should be filed with respective RAs before 30th April, 2013 and will not be subject to any late cut /late fee. Pending applications filed earlier, as well as fresh applications filed upto 30.04.2013 shall be taken up for consideration by respective RAs. No application after 30th April, 2013 will be accepted by RAs even with late cut / fee.

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

Sd/-
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