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E-Serve No.: 28 of 2023 | Date: January 25, 2023

<u>Sub : Amendments in Chapter 5 of HBP 2015-20 - One time relaxation from</u> <u>maintenance of Average Export Obligation and extension in Export obligation</u> <u>period for specified EPCG Authorisations</u>

Dear Member,

DGFT has issued Public Notice No. 53/2015-20 dated 20th January, 2023 (<u>copy</u> <u>enclosed</u>) to amend Chapter 5 of the HBP 2015-20, related to one-time relaxation from maintenance of Average Export Obligation and extension in the Export obligation period for specified EPCG Authorisations.

Relevant extract of the Public Notice is as follows: -

The following amendments have been stated:

The following sub-paras are added after para 5.17(f) of the Handbook of Procedures: -

Para 5.17 (h):

i) For EPCG authorizations, issued for <u>other than</u> Hotel, Healthcare, and Educational sectors, Export Obligation (EO) period may be extended from the date of expiry, for the number of days the existing EO period of an authorization falls within February 01, 2020, and July 31, 2021, Such EO extension may be granted without payment of composition fees. However, this extension is subject to a 5% additional export obligation in value terms (in free Foreign Exchange) on the balance Export obligation as of March 31, 2022.

ii) The option to avail of 10 extensions with payment of composition fees under the para 5.17(c) would remain available for these authorizations as per eligibility.

iii) In a case, where the EPCG authorization holder has already obtained an EO extension on payment of composition fees, the refund of the composition fees will not be permitted. In addition, any penalties, duties, and taxes already paid would also not be refunded.

Para 5.17 (i):

The benefit under (h) shall not be applicable in cases where an extension of the Export Obligation period has been obtained in terms of Public Notice No. 67 dated 31st March, 2020 and Notification No. 28 dated 23rd September, 2021.

Para 5.17 (j):

The benefit under paras (g) and (h) shall not be applicable in a case where an extension of the Export Obligation period has been obtained through policy relaxation in terms of para 2.58 of Foreign Trade Policy.

Members may please take a note of the above.

Regards,

Dr. Siddhartha Rajagopal Executive Director

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