

By FAX/email
URGENT

No. D.6/9/2015-SEZ
Government of India
Ministry of Commerce & Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi

Dated: July, 2015
5.8.15

To
All Development Commissioners
Special Economic Zones


Subject: - Request for closure of Advance Authorisation licenses issued as per Para 4.16(a) of FTP, pending for want of payment to be received from Foreign Currency Account- regarding.

Sir/Madam,

In pursuance to decision taken in the DCs meeting held on 16.07.2015 w.r.t Agenda item No. AA1, I am forwarding herewith a copy of O.M No. 01/94/180/80/AM14/PC4/294 dated 15.07.2015 received from DGFT on the subject cited above and to say that SEZ units may be advised to make payment from their Foreign Currency Accounts to the suppliers in all such cases failing which they would be liable under FTDR Act, 1992.

Encl. As above

Yours faithfully,


(Kabiraj Sabar)

Under Secretary to the Govt. Of India
Tel. 011-23062496
email Kabiraj.sabar@nic.in

Handwritten notes:
Please circulate
to all Comd &
for 7 on 12/8/15
OK 12/8

Handwritten notes:
12/8/15

F.No. 01/94/180/80/AM14/PC4 / 294
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DIRECTORATE GENERAL OF FOREIGN TRADE
POLICY SECTION - 4, ROOM NO. 210
UDYOG BHAVAN, NEW DELHI-110011

Dated: 15 .07.15

OFFICE MEMORANDUM

Subject: Request for closure of Advance Authorisation licenses issued as per para 4.16 (a) of FTP, pending for want of payment to be received from Foreign Currency Account.

The undersigned is directed to say that a number of representations from exporters were received where they had supplied export products to SEZ units under Advance Authorisation but the SEZ units made payments to these exporters from the account other than Foreign Currency Account, as required under Rule 30(8) of SEZ Rules (copies enclosed). Hence, requests for closure/redemption of the Advance Authorisation holders were held up due to the reason that payments received by the Authorisation holders are not from Foreign Currency Account (FCA) of SEZ Units.

2. The issue had been discussed in the Senior officers meeting in this Directorate, when JS(GM), Department of Commerce was also present. Extracts from notings of the concerned file in this regard is enclosed.

3. In pursuance of the decision taken in SOM, SEZ Division of Department of Commerce is requested to instruct all concerned SEZ units that as per Rule 30(8) of SEZ, that the unit were required to make payments from their FCA, in cases of supplies received by them towards fulfilment of export obligation against the Advance Authorisation of the DTA supplier. Therefore, all Development Commissioners may be directed to advise concerned SEZ Units to make payment from their FCA to the suppliers in respect of such cases, failing which they would be liable for action under FT(DR) Act, 1992.

4. This issues with the approval of Competent Authority.

संयुक्त सचिव का कार्यालय (मु.प्र.महा.)

JS (GPM)'s Office

आयची सं/Dy. No. 25804/0/15

दिनांक/Date: 15/7/15

*Disbursement DCS meeting -
Pl. take up - 16/7*

S. Latha

(S. Latha)

Dy. Director General of Foreign Trade

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Department of Commerce
(Kind Attn: Dr. Guruprasad Mohapatra, Joint Secretary)
SEZ Division
Udyog Bhawan
New Delhi

Dr. Guruprasad Mohapatra

Encl: Copies of representations (list enclosed)

Disbursement. It has to be disbursement with DCS in to union's meeting at 19:30. 15/7

S. Latha

Dr. Guruprasad Mohapatra