

DGFT notifies amnesty scheme for one-time settlement of default in export obligation by Advance Authorizations and EPCG authorization holders

The government announced the new Foreign Trade Policy (FTP) 2023 on 31 March 2023 to provide policy continuity and a responsive framework. The government also announced the issuance of an amnesty scheme to provide relief to the exporters who were unable to fulfil their export obligations (EO) under the Advance Authorizations (AA) and Export Promotion Capital Goods (EPCG) scheme.

In this regard, the Directorate General of Foreign Trade Policy (DGFT) has notified the 'Amnesty scheme for one-time settlement of default in export obligation by advance and EPCG authorization holders.'

Key features of the scheme:

Coverage:

- Authorizations issued under the Foreign Trade Policy 2009-2014 till 31 March 2015.
- Authorizations issued under the Foreign Trade Policy 2004-2009 and before, whose EO period was valid beyond 12 August 2013.

Benefits:

- The EO default can be regularized on the payment of all customs duties exempted in proportion to the unfulfilled EO.
- Maximum interest is capped at 100% of such duties exempted.
- No interest is payable on the portion of additional customs duty and special additional customs duty.

Other aspects for consideration:

- The defaulters interested in availing the scheme must register on the DGFT website and file a separate application before 30 June 2023.
- The payment of exempted customs duties and interest should be made before 30 September 2023 for availing the scheme.

- Based on the evidence of payment, the concerned authority may issue a letter granting the Export Obligation Discharge Certificate (EODC).
- The cases already adjudicated or pending adjudication, either original or in appeal, can also be regularized under the scheme.
- The cases under investigation or adjudicated for fraud, misdeclaration, or unauthorized diversion of material and/or capital goods, will not be eligible under the scheme.
- The CENVAT credit or refund of the above amounts paid will not be available

