GENERAL EXEMPTION NO. 15

Exemption to goods imported against Value Based Advance Licence -

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts materials imported into India against an Value based Advance Licence (hereinafter referred to as the said licence) issued on or before 31st March, 1995, in terms of para 49 of the Export and Import Policy 1 April, 1992 - 31 March, 1997, from the whole of the duty of customs leviable thereon which is specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and from the whole of the additional duty leviable thereon under sub-section (1), (3) and (5) of section 3 of the said Customs Tariff Act, subject to the following conditions, namely:-

(i) that the materials imported are covered by a Value based Duty Exemption Entitlement Certificate (hereinafter referred to as the said certificate), issued by the Licensing authority in the form specified in the Schedule annexed to this notification;

(ii) that the importer at the time of clearance of the imported materials -
   (a) produces proof of having executed a bond or a legal undertaking before the Licensing Authority concerned, for complying with the conditions of this notification; and
   (b) makes a declaration before the Assistant Commissioner of Customs or Deputy Commissioner of Customs binding himself to pay on demand an amount equal to the duty leviable but for the exemption, on the imported materials in respect of which the conditions specified in this notification have not been complied with;

Provided that a bond or a legal undertaking and the declaration shall not be necessary in respect of imports made after discharge of export obligation in full, as evidence by endorsement of Licensing Authority in the said Certificate;

(iii) that the said licence and the said certificate is produced before the proper officer of customs at the time of clearance of imported goods out of customs control;

Provided that no such imported materials shall be permitted clearance under this notification unless a debit entry has been made, in the said licence and the said certificate, by the proper officer of customs;

(iv) that the imports and exports are undertaken from sea ports at Bombay, Calcutta, Cochin, Kandla, Mangalore, Marmgoa, Madras, Nhava Sheva,Paradeep, Tuticorin and Visakhapatnam, or through any of the airports at Ahmedabad, Bangalore, Bombay, Calcutta, Delhi, Jaipur, Varanasi, Srinagar, Trivandrum, Hyderabad and Madras or through any of the Inland Container Depots at Bangalore, Coimbatore, Delhi, New Gauhati Goods Shed, Moradabad, Ludhiana and Hyderabad;

Provided that the Commissioner of Customs may by special order and subject to such conditions as may be specified by him permit imports and exports from any other sea port, airport, land customs station or inland container depots;

(v) that the export obligations is discharged, within the period specified in the said certificate or within such extended period as may be granted by the Licenceing Authority, by exporting goods manufactured in India in respect of which -
   (a) no input stage credit is obtained under Rules 56A or 57A of the Central Excise Rules, 1944 (hereinafter referred to as the said Rules;
   (b) facility, under rule 191A or rule 191B as in force immediately before the 1st October, 1994, or under
rule 12(1)(b) or rule 13(1)(b) of the said Rules, has not been availed; and",

(c) drawback has not been claimed either under section 74 of the Customs Act, 1962 or Customs and Central Excise Duties Drawback Rules, 1971;

(vi) exempt materials shall not be disposed of or utilized in any manner, except for utilisation in discharge of export obligation, before the export obligation under the said licence has been discharged in full and export proceeds realised;

Provided that Acetic Anhydride in respect of which the benefit of this notification is claimed shall be utilised by the importer in his own factory or in the factory of any other manufacturer indicated in the said certificate even after discharge of export obligation and realisation of export proceeds;

(vii) where benefit of the notification is sought by a person other than licencee, such benefit shall be allowed against the said licence and the said certificate only if it bears endorsement of transferability by the Licensing Authority.

Provided that benefit of this notification shall not be allowed to a transferee of licence for import of Acetic Anhydride except where the licence is endorsed for transferability before 24th November, 1993, and is transferred to an actual user who undertakes to use the Acetic Anhydride in his own factory.

(viii) Notwithstanding anything contained in conditions (vi) and (vii) above, the endorsement of transferability of disposal of materials shall be allowed in respect of licences issued for the export of all kinds of writing instruments (including gift sets and refills/nibs) on fulfilment of export obligation only in favour of manufacturer of writing instruments.

2. In a case of default in export obligation, when the duty on goods is paid to regularise the default, the amount of interest paid by the importer shall not exceed the amount of duty if such regularisation has been dealt in terms of Public Notice of the Government of India in the Ministry of Commerce No. 22 (RE-2013)/2009-2014 dated the 12th August, 2013.

Explanations:- In this notification,-


(ii) "Licensing Authority" means an authority competent to grant a licence under Imports (Control) Order, 1955 made under the Imports and Exports (Control) Act, 1947 (18 of 1947).

(iii) "Materials" means -

(a) raw materials, components, intermediates, consumables, computer software and parts required for manufacture of export product;

Provided that in the case of electronic goods, and all kinds of writing instruments (including gift sets and refills/nibs), all export items covered by one serial number in Standard Input Output and Value Addition norms as contained in Handbook of Procedures, 1992-97, Volume-II Published, vide Public Notice No.121(PN)/92-97, dated the 31st March, 1993, of the Government of India in the Ministry of Commerce, shall be deemed to be single export product.

Provided further that nothing contained in this notification shall apply to import of Acetic Anhydride against licences issued after 24th November, 1993, except where such licences together with the quantity required for manufacture of the export product mentioned therein have been issued with
the approval of Advance Licensing Committee in the office of the Director General of Foreign Trade;

(b) spares and mandatory spares, within a value limit of 5% of the value of the licence, which are required to be exported along with the export product; and

(c) packaging materials required for packing of export product.

THE SCHEDULE

VALUED BASED DUTY EXEMPTION ENTITLEMENT CERTIFICATE

PART - 1

(IMPORT)

(This consists ________________ of pages)

Serial No. ______________________ Date of issue ______________

Port of registration: ______________________

This is granted in favour of

____________________________________

____________________________________

(name and full address of the licencee)

Materials imported against Advance Licence No.__________ dated the __________ issued by

_________________________ (Licensing authority), before the clearance of the goods from the Customs.

The importer shall make the exports in terms of the said notification within ................ months from the date of issue of licence.

A bond/legal undertaking in terms of condition (b) of the said notification for Rs. __________ shall be executed with ________________ (License authority), before the clearance of the goods from the Customs.

Signature

Seal of licensing authority

Date:

Bond (s) / legal undertaking (s) executed on ______ for Rs.___________ (Rupees ________________) and registered under S.No._____________ with this office.

It has been verified that the export obligations has been discharged in full. Therefore requirement of Bond/Legal undertaking is waived.

(Strike off inapplicable portion)
PART A
Names and addresses of the factories where the resultant products for exports are manufactured.

PART B
Names and addresses of the factories where the ancillaries to the resultant products for exports are manufactured.

PART C
LIST OF ITEMS OF IMPORT

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Item of Import</th>
<th>Quantity</th>
<th>Technical characteristics</th>
<th>Quantity</th>
<th>CIF Value in Indian Rs. &amp; in equivalent US $</th>
<th>S.No. of the resultant products in Part B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Value=

PART D
PARTICULARS OF IMPORTS (OF MATERIALS)

<table>
<thead>
<tr>
<th>S.No.</th>
<th>S.No. of the materials in Part C</th>
<th>Bill of Entry No. and date and name of the Custom House of import</th>
<th>Description</th>
<th>Quantity and net weight</th>
<th>CIF Value</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Duty leviable but for exemption

<table>
<thead>
<tr>
<th>Heading No. of the First Schedule to the Customs Tariff Act, 1975 and Heading No. in the Schedule to the Central Excise Tariff Act, 1985 for levy of additional duty.</th>
<th>Rate of duty</th>
<th>Amount of duty</th>
<th>Signature of Customs Officer with designation and seal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) Basic</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) Additional</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iii) Auxiliary</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## PART G

Duties paid on materials in respect of which the condition of the said notification are not complied with

<table>
<thead>
<tr>
<th>S.No.</th>
<th>S.No. in Part D under which the import of the materials has been entered</th>
<th>descriptions quantity and value of materials on which duty paid</th>
<th>Rate of duty leviable</th>
<th>Amount of i) duty</th>
<th>particulars of duty paying</th>
<th>Signature of the Customs Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

### VALUE BASED DUTY EXEMPTION ENTITLEMENT CERTIFICATE

**PART-2 (EXPORT)**

(This consists of ......................... pages)

Sl.No................................................. (EXP)  Date of issue ................

Port of Registration .................................

Issued to ............................................................. (name and full address of the licencee)

Materials imported against Licence No. ............... dated ................ issued by ......................... to the above importer and covered by the list of materials specified under part 'C' of this certificate would be eligible for exemption from custom duties subject to the conditions specified in the notification of the Government of India, Ministry of Finance, Department of Revenue No. 203/92-Customs, dated the 19th May, 1992.

The importer shall make the exports in terms of the said Notification within ......................... months from the date of issue of licence.

A Bond/Legal Undertaking, in terms of the said Notification, for Rs. .............................. shall be executed with .............................. (licensing authority), before clearances of the goods from the customs.

Signature
GENERAL EXEMPTION NO. 15

Seal of licensing authority
Date

Bond/Legal under taking executed on ............................... for Rs. ............................... (Rs. ............................... ) and registered under Sl.No. ............................... with this office.
It has been verified that the export obligation has been discharged in full. Therefore requirement of Bond/
Legal undertaking is waived.
(Srike off inapplicable portion)

Signature
Seal of licensing authority
Date

PART - A
Name and address of the factories where the resultant products for export are manufactured

_________________________________________________________________________________________________________
_________________________________________________________________________________________________________

PART - B
Name and address of factories where the ancillaries to the resultant products for export are manufactured.

_________________________________________________________________________________________________________
_________________________________________________________________________________________________________

(Part C and D figures in the Imports Part of this DEEC)

PART - E
RESULTANT PRODUCTS

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Description</th>
<th>Quality</th>
<th>Technical Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Quantity FOB Value in Rs./US$ S.No. of the materials in Part-C

<table>
<thead>
<tr>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
</table>

_________________________________________________________________________________________________________
### PART - F

**PARTICULARS OF EXPORTS**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Sl.No. of the resultant product in Part E</th>
<th>Name of the Customs House of Shipment</th>
<th>Shipping Bill No. and Date</th>
<th>Name of the vessel and outward entry of the vessel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Net weight of the export product</th>
<th>Description as per the Shipping Bill</th>
<th>FOB value in Rs./US $</th>
<th>Signature of Customs Officer with name, designation and seal &amp; remarks if any</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### PART - H

**Statement of Imports and Exports Made**

**Type of Licence:** -  
**Licence No.:** -  
**Date:** -

**Details of Imports Made**

<table>
<thead>
<tr>
<th>Sl.No. of part C</th>
<th>Description</th>
<th>Quantity Imported</th>
<th>C.I.F. Value In Rs./In Equivalent US $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Details of Exports Made**

<table>
<thead>
<tr>
<th>Sl.No. of part E</th>
<th>Description</th>
<th>Quantity Exported</th>
<th>C.I.F. Value In Rs./In Equivalent US $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. I/We hereby declare that information given in this statement are correct.

2. I/We hereby declare that no benefit under rule 56A/57A/191A/191B as in force immediately before the 1st October, 1994, or under rule 57A/12(1)(b)/13(1)(b) of Central Excise Rules, 1944 has been availed in respect of exports made under this DEEC.

   Signature
   Name of the signatory
   Designation
   Full Address

Certificate by Chartered Accountant/Cost Accountant
I have examined that applicant firm's actual imports and exports as given above and find them as correct.

   Signature
   Seal
   Membership No.

PART - 1
Endorsement of Transferability
We have discharged the prescribed export obligation and the sale proceeds have been realized in full. We request that the licence and the DEEC may please be made transferrable.

   Signature
   Name of the signatory
   Designation
   Full Address

DEEC is made transferrable

   Signature
   Seal of licensing authority