

# PUBLIC NOTICE NO. 40 /2013

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)  
JAWAHARLAL NEHRU CUSTOMS HOUSE, SHEVA  
DISTRICT – RAIGAD, MAHARASHTRA

F. No. S/12-Gen-55/2013-14AM (X)

Date: 11.12.2013

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**Subject: Option to close cases of default in Export Obligation (EO) – Notification No. 46/2013-Customs dated 26.9.2013**

1. The Ministry has issued [Notification No. 46/2013](#)-Customs dated 26.9.2013 to amend 36 Customs notifications pertaining to Advance License/DEEC/ Advance Authorization/DFIA/ EPCG relating to the Policy periods from 1992-1997 to 2004-2009. This is to implement the [Public Notice No. 22 \(RE-2013\)/2009-2014](#) dated 12.8.13 notified by DGFT that has provided a procedure, under category of regularization of bona fide defaults, in which all pending cases of the default in meeting EO may be regularized by the authorization holder on payment of applicable customs duty, corresponding to the shortfall in export obligation, along with interest on such customs duty, but the interest to be so paid, under this option, shall not exceed the amount of customs duty payable for the default. The authorization holder choosing to avail this procedure must complete the process of payment on or before 31.3.2014.

2. The amendments made by the [Notification No. 46/2013](#)-Customs provide that in a case of default in export obligation, when the duty on the goods is paid to regularize the default, the amount of interest paid by the importer shall not exceed the amount of duty if such regularization has been dealt in terms of said Public Notice of DGFT. No other change is involved.

3. It may be noted that the cases where export obligation period is yet to be over, are not covered under the Option. Also, normally no refund is envisaged to arise on account of choosing the Option. However, there may be cases of calculation mistakes to be dealt on merits. Also, the [DGFT PN No. 22 \(RE-2013\)/2009-2014](#) dated 12.8.13 specifies that necessary procedures would be indicated separately.

Any difficulty may be brought to the notice of undersigned.

**(S.H.HASAN)**

**Commissioner of Customs (Export)**  
**JNCH, Nhava Sheva**

**To,**  
**All Concerned.**

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