



## **Relaxations / extensions of compliance related deadlines for exporters to overcome the hardship due to COVID-19**

On 11 April 2020, the Ministry of Commerce and Industry introduced several relaxations and extensions in deadlines with regard to compliances mandated under export related schemes and activities. The key relaxations are as follows:

(a) **Extension of the Foreign Trade Policy (FTP):** The FTP 2015-2020 and Handbook of Procedures (HBP), both of which were valid till 31 March 2020, have been extended by one year till 31 March 2021.

(b) **Extension of export/import obligation periods under Advance Authorizations and EPCG Authorizations:** There are certain Advance Authorizations and EPCG Authorizations schemes which have a concept called Export Obligation Period within which period the export obligation has to be completed. Now all the export obligation periods expiring between 1 February 2020 to 31 July 2020 have been extended for a further six months from the date of expiry. Similarly the import validity period (under these schemes) expiring between 1 February 2020 to 31 July 2020, has also been extended for a further six months from the date of expiry.

(c) **Extension of validity of Registration cum Membership Certificate (RCMC):** It has been decided that Regional Authorities (RAs) of DGFT will not insist on valid RCMC (in cases where the same has expired on or before 31 March 2020) from the applicants for any incentive/authorizations till 30 September 2020.

(d) **Service Exports from India Scheme (SEIS):** The last date for filing annual claims under SEIS is 12 months from the end of relevant financial year of the claim period, which is expiring for 2018-19 claims on 31 March 2020, has been extended to 31 December 2020.

(e) **Merchandise Exports from India Scheme (MEIS):** The last date for filing MEIS claims is 1 year from the Let Export Order (LEO) date of each Shipping Bill, and another 2 years beyond that with imposition of a late cut. The last date of filing MEIS claims without late cut for all Shipping Bills for which the initial one-year period expired / will be expiring on or after 1st Feb 2020 and on or before 31st May 2020, has been extended by 3 months beyond the expiry date of the initial one-year period.

(f) **Rebate of State and Central Taxes and Levies (RoSCTL):** The last date for filing RoSCTL claims for export shipments between 7 March 2019 to 31 December 2019 is 30 June 2020 which has also been extended to 31 December 2020.

(g) **Status Holder:** The validity period of all Status Certificates issued under FTP 2015-20 to an Import Export Code (IEC) holder has been extended up to 31 March 2021.

(h) **Various remissions under provisions of Hand Book of Procedure (HBP)** have been introduced such as the validity date of norms ratified under para 4.12(6) of the HBP (related to entitlement of advance authorisations under para 4.07 (related to self-ratification schemes)) is limited to 31 March 2020 or three years whichever is later. This has been relaxed to be co-terminus with extended date of the FTP or 3 years, whichever is later.

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(i) **Relaxations to special economic zones (SEZ):** In respect of SEZ Developers/Co-developers/ Units relaxations have been allowed on following compliances: (i) requirement to file Quarterly Progress Report (QPR) attested by Independent Chartered Engineers by Developers/ Co-developers, (ii) SOFTEX form to be filed by IT/ITES units, and (iii) filing of Annual Performance Reports (APR) by SEZ units. Further, Development Commissioners have been directed to facilitate all extensions of Letter of Approvals (LoAs) and other compliances through electronic mode in a time-bound manner.

(j) **Export Credit Guarantee Corporation (ECGC) Limited:** Time for filing returns like declarations, extension applications, report of default etc., under the insurance covers that are due in March and April, have been extended up to 31 May 2020. Similarly the time for filing claim/ replies due during this period extended up to 30 June 2020.

(k) **Agri Exporters by Agricultural & Processed Products Export Development Authority (APEDA) and Marine Products Export Development Authority (MPEDA):** For facilitating exporters, APEDA extended the validity of RCMC, Recognition/Registration of packhouses, groundnut processing unit, meat plants, wherever expiring up to 30 April 2020. Further, an advisory has been issued for providing additional one month validity of certificate as a one-time measure for exporters of organic products. Similarly, MPEDA has started issuing most of the Certificates for exports online i.e. DS 2301 certificates for the USA market with effect from 1 April 2020.

(l) Measures taken by the Government e-market place (GeM) to facilitate procurement in view of the COVID-19 pandemic such as shorter duration bids with shorter delivery period has been enabled.

(m) **Measures taken by department to facilitate preferential exports in the COVID-19 pandemic:** In the wake of the lockdown, the agencies authorized to issue the certificates of origin for India's preferential exports under the free trade agreement (FTAs) are either not functional or are operating with a skeletal staff. In the light of this, Department of Commerce had included some specific FTAs on this digital platform which had facilitated online application by exporters for these certificates. Trade Notice 1 dated 7 April 2020 has added India's main FTAs namely those with ASEAN, Japan, SAARC countries and Asia Pacific Trade Agreement (APTA) onto this digital platform. This would ensure that the preferential exports are facilitated even during this lockdown period.

(n) **Facilitation by the Director General Trade Remedies (DGTR):** Submission of documents in the Trade remedies investigation process has been done online or through digital transmission without having to submit physical copies. This has been enabled for both new investigations and ongoing investigations. Further, the hearings and consultations are being carried out through video conferencing.

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Clasis Law supports 'Stay Home, Stay Safe' initiative to fight against pandemic COVID-19 crisis. We continue business as usual and our attorneys and staff are available to provide our clients uninterrupted service. Please do not hesitate to reach out with questions or concerns at any time. We hope that you and your family remain healthy and safe throughout this global health challenge.

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