

DIRECTORATE GENERAL OF EXPORT PROMOTION
CBEC, Deptt. of Revenue, Ministry of Finance, Govt. of India
HOTEL JANPATH, NEW DELHI -110 001.

DGEP/EOU/74/2008

/ 255 to 288

27.01.2009

Kind Attention - sh A.K. Prasad
Sr. CDR

To,

- All Chief Commissioner of Central Excise,
- All Chief Commissioner of Customs,
- All Chief Commissioner of Customs & Central Excise

Madam/ Sir,

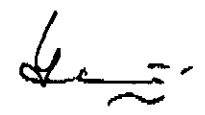
Sub: DTA sale entitlement to EOUs only against physical exports-Clarification- reg.

Please find enclosed letter No. 1/9/2008-EOU dated 26.12.2008 issued by the Deptt. of Commerce, EOU Division, New Delhi, to all the Development Commissioners on the aforesaid subject.

2. Deptt. of Commerce, vide the above letter has clarified that supplies made under para 6.9 of Foreign Trade Policy cannot be considered for calculating DTA entitlement, which is determined with reference to physical exports only.
3. This is for you information and necessary action.

Encl: As above

Yours faithfully



(V S Shrivastava)

No. 1/9/2008-EOU
Government of India
Ministry of Commerce & Industry
Department of Commerce
EOU Division

Udyog Bhawan, New Delhi,
The, 24th December, 2008.

To

DC,
KASEZ/SEEPZ/SEZ/CSEZ/NSEZ/SEZ/FALTA/MSEZ.

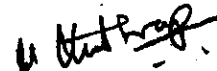
Subject : Clarification of DTA sale entitlement against the supplies made on deemed export basis by EOUs-reg.

Sir,

I am directed to say that it has been brought to the notice of this Department regarding enhanced DTA sale entitlement based on the Hon'ble Supreme Court judgment in a case of M/s Virlon Textile Mills Ltd. Vs Commissioner of Central Excise, Mumbai. This matter got examined in this Department in consultation with DGEP & DGFT.

It has been decided that supplies made under Para 6.9 of FTP could not be considered for calculating DTA entitlement because the aforesaid decision has no bearing on the quantum of DTA entitlement which is determined with reference to physical export of the EOU only.

Yours faithfully,



(G. MUTHURAJA)
Under Secretary to the Govt. of India
Tel : 23061762