



BMC Advisors



What's Inside

- MCA Update
- Income Tax Update
- Custom Update
- RBI Update
- Service Tax Update
- DGFT Update
- SEBI Update
- Excise Update

WEEKLY UPDATES

JANUARY 2nd – JANUARY 8th, 2017

INDEX

MCA UPDATE	
Notification –Exemption to Specified IFSC Private company – under section 462 of the Companies Act, 2013	6-12
Notification –Exemption to Specified IFSC Public company – under section 462 of the Companies Act, 2013	13-20
RBI UPDATE	
Allocation of cash for rural areas	21-24
Exchange facility to foreign citizens	25-26
Exim Bank's GoI supported Line of Credit of USD 4.22 million to the Government of the Republic of Burundi	27-29
SEBI UPDATE	
Reference to Circular FITTC/FII/02/2002 dated May 15, 2002- In regard to credit of proceeds due to write off of securities held by FPIs/deemed FPIs	30-33
Guidelines for participation/functioning of Eligible Foreign Investors (EFIs) and	34-38

FPIs in International Financial Services Centre (IFSC)	
Guidance Note on Board Evaluation	39-42
Exclusively listed companies of De-recognized/Non-operational/exited Stock Exchanges placed in the Dissemination Board (DB)	43-44
INCOME TAX UPDATE	
Notification no. 01/ 2017 (F.No.203/4112015/ IT A-II) : notification-1-2017	45
DGFT UPDATE	
Amendment in import policy of items classified under Chapter 41 & 43 of ITC (HS), 2012-Schedule-1(Import Policy).	46
EXCISE UPDATE	
Seeks to further amend notification No. 02/2011-Central Excise dated 1st March, 2011.	47-48
Withdrawal of instructions regarding inclusion of Show Cause Notice issued in relation to sub-section (11) of Section 28 of	49

the Customs Act, 1962 on the competency of officers of DGDRI, DGCEI and Customs (Prev.) in the Call Book	
CUSTOM UPDATE	
Rate of exchange of conversion of the foreign currency with effect from 6th January, 2017	50-53
Seeks to further amend notification 63/94 dated 21st November, 1994	54-55
Regarding extending the Single Window Interface for Facilitation of Trade (SWIFT) to Exports	56-57

MCA UPDATES

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS

Notification

New Delhi, the 4th January, 2017

G.S.R. ___ (E). - In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 462 and in pursuance of sub-section (2) of the said section of the Companies Act, 2013 (18 of 2013), the Central Government, in the interest of public, hereby directs that certain provisions of the Companies Act, 2013 (18 of 2013), as specified in column (2) of the Table, shall not apply or shall apply with such exceptions, modifications and adaptations as specified in column (3) of the said Table, to a private company which is licensed to operate by the Reserve Bank of India or the Securities and Exchange Board of India or the Insurance Regulatory and Development Authority of India from the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 (28 of 2005) read with the Special Economic Zones Rules, 2006 (herein after referred to as "Specified IFSC private company"), namely:-

Serial Number	Provisions of the Companies Act, 2013 (18 of 2013)	Exceptions/Modifications/Adaptations
(1)	(2)	(3)
1.	Clause (41) of section 2	In clause (41), after the second proviso, the following proviso shall be inserted, namely:- "Provided also that in case of a Specified IFSC private company, which is a subsidiary of a foreign company, the financial year of the subsidiary may be same as the financial year of its holding company and approval of the Tribunal shall not be required."
2.	Sub-section (2) of section 3	In sub-section (2), the following proviso shall be inserted, namely:- "Provided that a Specified IFSC private company shall be formed only as a company limited by shares."
3.	Clause (a) of sub-section (1) of section 4	In clause (a) of sub-section (1), after the proviso, the following proviso shall be inserted, namely:- "Provided further that a Specified IFSC private company shall have the suffix "International Financial Service Company" or "IFSC" as part of its name."

4.	Clause (c) of sub-section (1) of section 4	In clause (c) of sub-section (1) of section 4, the following proviso shall be inserted, namely:- "Provided that a Specified IFSC private company shall state its objects to do financial services activities, as permitted under the Special Economic Zones Act, 2005 read with the Special Economic Zones Rules, 2006 and any matter considered necessary in furtherance thereof, in accordance with license to operate, from International Financial Services Centre located in an approved multi services Special Economic Zone, granted by the Reserve Bank of India or the Securities and Exchange Board of India or the Insurance Regulatory and Development Authority of India."
5.	Sub-section (1) of section 12	In sub-section(1), the following proviso shall be inserted, namely:- "Provided that a Specified IFSC private company shall have its registered office at the International Financial Services Centre located in the approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 read with the Special Economic Zones Rules, 2006, where it is licensed to operate, at all times."
6.	Sub-section (2) of section 12	For the words "thirty days" read as "sixty days".
7.	Sub-section (4) of section 12	For the words "fifteen days" read as "sixty days".
8.	Sub-section (5) of section 12	For sub-section (5), the following sub-section shall be substituted, namely:- "(5) Except on the authority of a resolution passed by the Board of Directors, the registered office of the Specified IFSC private company shall not be changed from one place to another within the International Financial Services Centre: Provided that a Specified IFSC private company shall not change the place of its registered office to any other place outside the International Financial Services Centre."
9.	Section 21	For the words "an officer" read as "an officer or any other person".

10.	Sub-sections (3) and (7) of section 42	Shall not apply.
11.	Sub-section (6) of section 42	For the words "sixty days" read as "ninety days".
12.	Clause (c) of sub-section (1) of section 54	Shall not apply.
13.	Sub-section (4) of section 56	In sub-section (4), after the proviso, the following proviso shall be inserted, namely:- "Provided further that a Specified IFSC private company shall deliver the certificates of all securities to subscribers after incorporation, allotment, transfer or transmission within a period of sixty days."
14.	Sub-section (1) of section 82	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC private company, the Registrar may, on an application by the company, allow such registration to be made within a period of three hundred days of such creation on payment of such additional fees as may be prescribed."
15.	Sub-section (6) of section 89	For the words "thirty days" read as "sixty days".
16.	Sub-section (3) of section 92	Shall not apply.
17.	Sub-section (1) of section 100	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC private company, the Board may subject to the consent of all the shareholders, convene its extraordinary general meeting at any place within or outside India."
18.	Sub-section (1) of section 117	For the words "thirty days" read as "sixty days".

19.	Sub-section (1) of section 118	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC private company, the minutes of every meeting of its Board of Directors or of every committee of the Board, to be prepared and signed in the manner as may be prescribed under sub section (1) at or before the next Board or committee meeting, as the case may be and kept in books kept for that purpose."
20.	Sub-section (10) of section 118	Shall not apply.
21.	Sub-section (3) of section 134	In sub-section (3), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC private company, if any information listed in this sub-section is provided in the financial statement, the company may not include such information in the report of the Board of Directors."
22.	Section 135	Shall not apply for a period of five years from the commencement of business of a Specified IFSC private company.
23.	Section 138	Shall apply if the articles of the company provides for the same.
24.	Fourth proviso to sub-section (1) of section 139	For the words "fifteen days" read as "thirty days".
25.	All provisos to sub-section (2) of section 139	Shall not apply.
26.	Sub-section (1) of section 140	In sub-section (1), after the proviso, the following proviso shall be inserted, namely:- "Provided further that in case of a Specified IFSC private company, where, within a period of sixty days from the date of submission of the application to the Central Government under this sub-section, no decision is communicated by the Central Government to the company, it would be deemed that the Central Government has approved the application and the

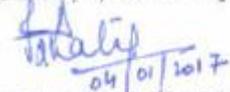
		company shall appoint new auditor at a general meeting convened within three months from the date of expiry of sixty days period.”.
27.	Sub-section (3) of section 149	In sub-section (3), the following proviso shall be inserted, namely:- “Provided that this sub-section shall apply to the Specified IFSC private company in respect of financial years other than the first financial year from the date of its incorporation.”.
28.	Sub-section (3) of section 161	In sub-section (3), the following proviso shall be inserted, namely:- “Provided that in case of a Specified IFSC private company, the Board may appoint, any person nominated by any institution or company or body corporate as a director in pursuance of the provisions of any law for the time being in force or of any agreement or by the Central Government or the State Government by virtue of its shareholding in a Government company.”.
29.	Proviso to sub-section (1) of section 168	For the word “shall” read as “may”.
30.	Sub-section (2) of section 170	For the words “thirty days” at both places read as “sixty days”.
31.	Sub-section (1) of section 173	In sub-section (1), after the proviso, the following proviso shall be inserted, namely:- “Provided further that a Specified IFSC private company shall hold the first meeting of the Board of Directors within sixty days of its incorporation and thereafter hold at least one meeting of the Board of Directors in each half of a calendar year.”.
32.	Sub-section (3) of section 174	Shall apply with the exception that interested director may participate in such meeting provided the disclosure of his interest is made by the concerned director either prior or at the meeting.
33.	Sub-section (3) of section 179	In sub-section (3), after the second proviso, the following proviso shall be inserted, namely:- “Provided also that in case of a Specified IFSC private company, the Board can exercise the powers by means of resolutions passed at the meetings of the Board or through resolutions passed by circulation.”.

34.	Sub-section (1) of section 185	In the Explanation, for clause (c), the following clause shall be substituted, namely:- “(c) any private company of which any such director is a director or member in which director of the lending company do not have direct or indirect shareholding through themselves or through their relatives and a special resolution is passed to this effect.”.
35.	Sub-section (1) of section 186	Shall not apply.
36.	Sub-sections (2) and (3) of section 186	Shall not apply, if a company passes a resolution either at meeting of the Board of Directors or by circulation.
37.	Sub-section (5) of section 186	In sub-section (5), after the proviso, the following proviso shall be inserted, namely:- “Provided further that in case of a Specified IFSC private company, the Board can exercise powers under this sub-section by means of resolutions passed at meetings of the Board of Directors or through resolutions passed by circulation.”.
38.	Sub-section (2) of section 384	In sub-section (2), the following proviso shall be inserted, namely:- “Provided that notwithstanding anything contained in this Act, the exemptions provided under section 92 to companies incorporated under this Act for the purpose of operating from the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 (28 of 2005) and the Special Economic Zones Rules, 2006, shall apply <i>mutatis mutandis</i> to a foreign company registered under Chapter XXII of this Act, which has a place of business or which conducts business activity from the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 and the Special Economic Zones Rules, 2006.”.
39.	Sub-section (4) of section 384	In sub-section (4), the following proviso shall be inserted, namely:- “Provided that notwithstanding anything contained in this Act, the exemptions provided under Chapter VI to companies incorporated under this Act for the purpose of operating from

		the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 (28 of 2005) and the Special Economic Zones Rules, 2006, shall apply <i>mutatis mutandis</i> to a foreign company registered under Chapter XXII of this Act, which has a place of business or which conducts business activity from the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 and the Special Economic Zones Rules, 2006.” .
--	--	--

2. A copy of this notification has been laid in draft before both Houses of the Parliament as required by sub-section (2) of section 462 of the Companies Act, 2013 (18 of 2013).

[F.No.3/1/2015-CL.I]


04/01/2017

(Amardeep Singh Bhatia)
Joint Secretary to the Government of India

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS

Notification

New Delhi, the 4th January, 2017

G.S.R. ___ (E). - In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 462 and in pursuance of sub-section (2) of the said section of the Companies Act, 2013 (18 of 2013), the Central Government, in the interest of public, hereby directs that certain provisions of the Companies Act, 2013 (18 of 2013), as specified in column (2) of the Table, shall not apply or shall apply with such exceptions, modifications and adaptations as specified in column (3) of the said Table, to an unlisted public company which is licensed to operate by the Reserve Bank of India or the Securities and Exchange Board of India or the Insurance Regulatory and Development Authority of India from the International Financial Services Centre located in an approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 (28 of 2005) read with the Special Economic Zones Rules, 2006 (herein after referred to as "Specified IFSC public company"), namely:-

Serial Number	Provisions of the Companies Act, 2013 (18 of 2013)	Exceptions/Modifications/Adaptations
(1)	(2)	(3)
1.	Clause (41) of section 2	In Clause (41), after the second proviso, the following proviso shall be inserted, namely :- "Provided also that in case of a Specified IFSC public company, which is a subsidiary of a foreign company, the financial year of the subsidiary may be same as the financial year of its holding company and approval of the Tribunal shall not be required."
2.	Sub-clause (viii) of clause (76) of section 2	Shall not apply with respect to section 188.
3.	Sub-section (2) of section 3	In sub-section (2), the following proviso shall be inserted, namely:- "Provided that a Specified IFSC public company shall be formed only as a company limited by shares."

4.	Clause (a) of sub-section (1) of section 4	In clause (a) of sub-section (1), after the proviso, the following proviso shall be inserted, namely:- "Provided further that a Specified IFSC public company shall have the suffix "International Financial Service Company" or "IFSC" as part of its name."
5.	Clause (c) of sub-section (1) of section 4	In clause (c) of sub-section (1) of section 4, the following proviso shall be inserted, namely:- "Provided that a Specified IFSC public company shall state its objects to do financial services activities, as permitted under the Special Economic Zones Act, 2005 (28 of 2005) read with the Special Economic Zones Rules, 2006 and any matter considered necessary in furtherance thereof, in accordance with license to operate, from International Financial Services Centre located in an approved multi services Special Economic Zone, granted by the Reserve Bank of India or the Securities and Exchange Board of India or the Insurance Regulatory and Development Authority of India."
6.	Sub-section (1) of section 12	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that a Specified IFSC public company shall have its registered office at the International Financial Services Centre located in the approved multi services Special Economic Zone set-up under the Special Economic Zones Act, 2005 read with the Special Economic Zones Rules, 2006, where it is licensed to operate, at all times."
7.	Sub-section (2) of section 12	For the words "thirty days" read as "sixty days".
8.	Sub-section (4) of section 12	For the words "fifteen days" read as "sixty days".
9.	Sub-section (5) of section 12	For sub-section (5), the following sub-section shall be substituted, namely:- "(5) Except on the authority of a resolution passed by the Board of Directors, the registered office of the Specified IFSC public company shall not be changed from one place to another within the International Financial Services Centre: Provided that the Specified IFSC public company shall not

		change the place of its registered office to any other place outside the said International Financial Services Centre.”.
10.	Section 21	For the words “an officer” read as “an officer or any other person”.
11.	Sub-sections (3) and (7) of section 42	Shall not apply.
12.	Sub-section (6) of section 42	For the words “sixty days” read as “ninety days”.
13.	Section 43	Shall not apply to a Specified IFSC public company, where memorandum of association or articles of association of such company provides for it.
14.	Section 47	Shall not apply to a Specified IFSC public company, where memorandum of association or articles of association of such company provides for it.
15.	Clause (c) of sub-section (1) of section 54	Shall not apply.
16.	Sub-section (4) of section 56	In sub-section (4), after the proviso, the following proviso shall be inserted, namely:- “Provided further that a Specified IFSC public company shall deliver the certificates of all securities to subscribers after incorporation, allotment, transfer or transmission within a period of sixty days.”.
17.	Clause (a) of sub-section (1) of section 62	In clause (a) of sub-section (1), the following proviso shall be inserted, namely:- “Provided that notwithstanding anything contained in sub-clause (i), in case of a Specified IFSC public company, the periods lesser than those specified in the said sub-clause shall apply if ninety per cent. of the members have given their consent in writing or in electronic mode.”.
18.	Clause (b) of sub-section (1) of section 62	For the words “special resolution” read as “ordinary resolution”.
19.	Section 67	Shall not apply to a Specified IFSC public company- (a) in whose share capital no other body corporate has invested any money;

		(b) if the borrowings of such company from banks or financial institutions or any body corporate is less than twice of its paid up share capital or fifty crore rupees, whichever is lower; and (c) such a company is not in default in repayment of such borrowings subsisting at the time of making transactions under this section.
20.	Clauses (a) to (e) of sub-section (2) of section 73	Shall not apply to a Specified IFSC public company which accepts from its members, monies not exceeding one hundred per cent. of aggregate of the paid up share capital and free reserves, and such company shall file the details of monies so accepted to the Registrar in such manner as may be specified.
21.	Sub-section (1) of section 82	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC public company, the Registrar may, on an application by the company, allow such registration to be made within a period of three hundred days of such creation on payment of such additional fees as may be prescribed."
22.	Sub-section (6) of section 89	For the words "thirty days" read as "sixty days".
23.	Sub-section (3) of section 92	Shall not apply.
24.	Sub-section (1) of section 100	In sub-section (1), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC public company, the Board may subject to the consent of all the shareholders, convene its extraordinary general meeting at any place within or outside India."
25.	Sections 101 to 107 and section 109	Shall apply in case of a Specified IFSC public company, unless otherwise specified in the articles of the company.
26.	Sub-section (1) of section 117	For the words "thirty days" read as "sixty days".
27.	Clause (g) of sub-section (3) of section 117	Shall not apply.
28.	Sub-section (1)	In sub-section (1), the following proviso shall be inserted,

	of section 118	namely:- "Provided that in case of a Specified IFSC public company, the minutes of every meeting of its Board of Directors or of every committee of the Board, to be prepared and signed in the manner as may be prescribed under sub-section (1) at or before the next Board meeting or committee meeting, as the case may be and kept in the books kept for that purpose."
29.	Sub-section (10) of section 118	Shall not apply.
30.	Sub-section (3) of section 134	In sub-section (3), following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC public company, if any information listed in this sub-section is provided in the financial statement, the company may not include such information in the report of the Board of Directors."
31.	Section 135	Shall not apply for a period of five years from the commencement of business of a Specified IFSC public company.
32.	Section 138	Shall apply if the articles of the company provides for the same.
33.	Fourth proviso to sub section (1) of section 139	For the words " fifteen days" read as " thirty days".
34.	All provisos to sub-section (2) of section 139	Shall not apply.
35.	Sub-section (1) of section 140	In sub-section (1) after the proviso, the following proviso shall be inserted, namely:- "Provided further that in case of a Specified IFSC public company, where, within a period of sixty days from the date of submission of the application to the Central Government under this sub-section, no decision is communicated by the Central Government to the company, it would be deemed that the Central Government has approved the application and the company shall appoint new auditor at a general meeting convened within three months from the date of expiry of sixty days period."
36.	Second proviso to sub-	Shall not apply.

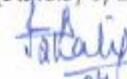
	section (1) of section 149	
37.	Sub-section (3) of section 149	In sub-section (3), the following proviso shall be inserted, namely:- "Provided that this sub-section shall apply to a Specified IFSC public company in respect of financial years other than the first financial year from the date of its incorporation."
38.	Sub-sections (4) to (11), clause (i) of sub-section (12) and sub-section (13) of section 149	Shall not apply.
39.	Sub-section (5) of section 152	For the words "thirty days" read as "sixty days".
40.	Sub-sections (6) and (7) of section 152	Shall not apply.
41.	Section 160	Shall apply as per the articles framed by the company.
42.	Sub-section (3) of section 161	In sub-section (3), the following proviso shall be inserted, namely:- "Provided that in case of a Specified IFSC public company, the Board may appoint, any person nominated by any institution or company or body corporate as a director in pursuance of the provisions of any law for the time being in force or of any agreement or by the Central Government or the State Government by virtue of its shareholding in a Government company."
43.	Section 162	Shall not apply.
44.	Proviso to sub-section (1) of section 168	For the word "shall" read as "may".
45.	Sub-section (2)	For the words "thirty days" at both places read as "sixty days".

	of section 170	
46.	Sub-section (1) of section 173	In sub-section (1), after the proviso, the following proviso shall be inserted, namely:- "Provided further that a Specified IFSC public company shall hold the first meeting of the Board of Directors within sixty days of its incorporation and thereafter hold atleast one meeting of the Board of Directors in each half of a calendar year."
47.	Sub-section (3) of section 174	Shall apply with the exception that interested director may participate in such meeting provided the disclosure of his interest is made by the concerned director either prior or at the meeting.
48.	Section 177	Shall not apply.
49.	Section 178	Shall not apply.
50.	Sub-section (3) of section 179	In sub-section (3), after the second proviso, the following proviso shall be inserted, namely:- "Provided also that in case of a Specified IFSC public company, the Board can exercise powers by means of resolutions passed at the meetings of the Board or through resolutions passed by circulation."
51.	Section 180	Shall apply in case of a Specified IFSC public company, unless the articles of the company provides otherwise.
52.	Sub-section (2) of section 184	Shall apply with the exception that interested director may participate in such meeting provided the disclosure of his interest is made by the concerned director either prior or at the meeting.
53.	Sub-section (1) of section 185	In the Explanation, for clause (c), the following clause shall be substituted, namely:- "(c) any private company of which any such director is a director or member in which director of the lending company do not have direct or indirect shareholding through themselves or through their relatives and a special resolution is passed to this effect;"
54.	Sub-section (1) of section 186	Shall not apply.
55.	Sub-sections (2) and (3) of	Shall not apply if a company passes a resolution either at meeting of the Board of Directors or by circulation.

	section 186	
56.	Sub-section (5) of section 186	In sub-section (5), after the proviso, the following proviso shall be inserted, namely:- "Provided further that in case of a Specified IFSC public company, the Board can exercise powers under this sub-section by means of resolutions passed at meetings of the Board of Directors or through resolutions passed by circulation."
57.	Second proviso to sub-section (1) of section 188	Shall not apply.
58.	Sub-section (4) of section 196	Shall not apply.
59.	Section 197	Shall not apply.

2. A copy of this notification has been laid in draft before both Houses of the Parliament as required by sub-section (2) of section 462 of the Companies Act, 2013 (18 of 2013).

[F.No.3/1/2015-CL.I]


04/01/2017
(Amardeep Singh Bhatia)
Joint Secretary to the Government of India

RBI UPDATES

Allocation of cash for rural areas

RBI/2016-17/207

DCM (Plg) No.2200/10.27.00/2016-17

January 03, 2017

The Chairman / Managing Director/ Chief
Executive Officer,
(All banks with currency chests)

Dear Sir / Madam

Allocation of cash for rural areas

Please refer to our circulars DCM (Plg) No.1345/10.27.00/2016-17 dated November 22, 2016 and DCM (Plg) No.1508/10.27.00/2016-17 dated December 02, 2016 on making cash available for rural areas.

2. On observing that bank notes, being supplied to rural areas, at present, are not commensurate with the requirements of rural population, some steps have already been initiated as indicated in the above circulars. With a view to ensure that at least 40% bank notes are supplied to rural areas and to mitigate the issue in a more enduring manner, the

banks maintaining currency chests are advised to take the following steps, in continuation of the above.

Distribution Channels and Proportion of currency flow

i. Banks should advise their currency chests to step up issuance of fresh notes to rural branches of RRBs, DCCBs and commercial banks, White Label ATMs in rural areas and post offices in rural areas on priority basis which are considered main rural channels of distribution.

ii. As the rural requirements could vary from district to district depending on variations in the rural and urban mix of each district in terms of relative shares in CASA deposits and number of deposit accounts, to facilitate a need based approach in this regard a certain percentage of allocation has been assigned to each district as per Annex 1 (For Annexure refer http://rbidocs.rbi.org.in/rdocs/content/docs/A_CRA03012017_AN1.xls) depending on the rural and urban mix.

iii. Accordingly, all Chests operating in a district must issue bank notes to the above mentioned distribution channels in the indicated proportion.

The indicated proportion may be maintained on weekly average basis at each chest level as it may be difficult to stick to the proportion on daily basis.

Reporting for monitoring

iv. Currency chests must furnish daily issuances to the above categories to their Link Offices (LO) along with chest slips with a weekly summary as at close of business on every Friday. LOs should in turn forward it to the RBI's Regional Office concerned (reporting format annexed) to facilitate a review. It may be similar to the chest balances reporting mechanism (Annex 2) (For Annexure 2 refer

<https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=10814&Mode=0#an2>). LOs may monitor the daily reports to avoid lumpiness in issuances and to ensure that issuances are evenly.

Denominational mix

v. Chests should issue bank notes in denominations of Rs. 500 and below. In particular ATMs, including WLAOs, may be issued Rs. 500s and Rs. 100s and among ATMs category, Off-site ATMs should be allocated higher proportion of cash as against on site ATMs as they are more

important in last mile currency connectivity.

vi. Existing stock of other denominations notes below Rs. 100 should be issued liberally.

vii. Banks should indent for coins, obtain supply from Issue Departments of Reserve Bank of India, if required, and ensure supply to public on priority basis.

3. Please acknowledge receipt.

Yours faithfully,

(P Vijaya Kumar)
Chief General Manager

Exchange facility to foreign citizens

RBI/2016-17/208

A.P. (DIR Series) Circular No. 24

January 03, 2017

To

All Authorised Persons

Madam / Sir,

Exchange facility to foreign citizens

Attention of Authorized Persons is invited to the A.P. (DIR Series) Circular No. 20 dated November 25, 2016 permitting foreign citizens to exchange foreign exchange for Indian currency notes up to a limit of Rs. 5000/- per week till December 15, 2016 and extended up to December 31, 2016 vide A.P. (DIR Series) Circular No. 22 dated December 16, 2016.

2. On a review it has been decided that the instructions contained in the A.P. (DIR Series) Circular No. 20 dated November 25, 2016 shall continue to be in force till January 31, 2017.

3. Authorised Persons may follow the above instructions and bring the contents of this circular

to the notice of their constituents.

4. The directions contained in this circular have been issued under Section 10(4) and Section 11(1) of the Foreign Exchange Management Act, 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

Yours faithfully,

(Shekhar Bhatnagar)
Chief General Manager-In-Charge

**Exim Bank's GoI supported Line of Credit of
USD 4.22 million to the Government of the
Republic of Burundi**

RBI/2016-17/209

A.P. (DIR Series) Circular No. 25

January 05, 2017

To

All Category - I Authorised Dealer Banks

Madam / Sir,

**Exim Bank's GoI supported Line of Credit of
USD 4.22 million to the Government of the
Republic of Burundi**

Export-Import Bank of India (Exim Bank) has entered into an Agreement dated February 14, 2014 with the Government of the Republic of Burundi for making available to the latter, a Government of India supported Line of Credit (LOC) of USD 4.22 million (USD Four million two hundred and twenty thousand) for the purpose of financing the farm mechanization in Burundi. The goods, machinery, equipment, and services including consultancy services from India for

exports under this Agreement are those which are eligible for export under the Foreign Trade Policy of the Government of India and whose purchase may be agreed to be financed by the Exim Bank under this Agreement. Out of the total credit by Exim Bank under this Agreement, the goods and services including consultancy services of the value of at least 75% of the contract price shall be supplied by the seller from India and the remaining 25% goods and services may be procured by the seller for the purpose of the eligible contract from outside India.

2. The credit agreement under the LOC is effective from December 20, 2016 and the date of execution of agreement is February 14, 2014. Under the LOC, the last date for opening of letter of Credit and Disbursement will be 48 months for Project Export Contracts from the schedule completion date(s) of contract(s) and 72 months for supply contracts, from the date of execution of the Agreement.

3. Shipments under the LOC will have to be declared on EDF/ SDF Forms as per instructions issued by the Reserve Bank from time to time.

4. No agency commission is payable under the above LOC. However, if required, the exporter

may use his own resources or utilize balances in his Exchange Earners' Foreign Currency Account for payment of commission in free foreign exchange. Authorised Dealer Category- 1 (AD Category-I) banks may allow such remittance after realization of full payment of contract value subject to compliance with the prevailing instructions for payment of agency commission.

5. AD Category-I banks may bring the contents of this circular to the notice of their exporter constituents and advise them to obtain full details of the Line of Credit from the Exim Bank's office at Centre One, Floor 21, World Trade Centre Complex, Cuffe Parade, Mumbai 400 005 or log on to www.eximbankindia.in.

6. The directions contained in this circular have been issued under Section 10(4) and Section 11(1) of the Foreign Exchange Management Act, 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

Yours faithfully,

(Shekhar Bhatnagar)
Chief General Manager-in-Charge

SEBI UPDATES

CIRCULAR

IMD/HO/FPIC/CIR/P/ 2017/ 001

January 02, 2017

To,

**All Designated Depository Participants
("DDPs")/ Custodian of Securities**

**All Foreign Portfolio Investors through their
designated Custodians of Securities**

Sir / Madam,

**Subject: Reference to Circular no.
FITTC/FII/02/2002 dated May 15, 2002- In regard
to credit of proceeds due to write off of securities
held by Foreign Portfolio Investors/deemed
Foreign Portfolio Investors.**

1. Please refer to SEBI's circular no.
FITTC/FII/02/2002 dated May 15, 2002.
(http://www.sebi.gov.in/cms/sebi_data/pdffiles/16883_t.pdf)

2. In partial modification to the above circular, pursuant to the notification of SEBI (Investor Protection and Education Fund) Regulations, 2009, SEBI has established its own Investor Protection and Education Fund.

3. In view of the above, in terms of Regulation 4(g) of SEBI (Investor Protection and Education Fund) Regulations, 2009, any proceeds due to :

a. **Disinvestment:** In case a custodian is unable to deliver the securities or ascertain the claimant for the securities that are received subsequent to write off due to any unforeseen circumstances viz. deemed Foreign Portfolio Investor/Foreign Portfolio Investor no longer existing/operating or expiry of SEBI registration/FEMA approval, etc., the sale of these securities through stock exchange and proceeds thereof net of expenses shall be credited to the **Investors Protection and Education Fund of SEBI** not later than 7 days from the date of receipt thereof.

b. **Corporate benefits:** In case of receipt of corporate benefits in the form of securities arising out of shares written off, the same shall be reported to SEBI in the normal manner. Similarly, corporate benefits received in the form of cash viz. dividend shall be credited to the **Investors Protection and Education Fund of SEBI** not later than 7 days from the date of receipt of the same.

4. All other terms and conditions laid down in the circular no. FIITC/FII/02/2002 dated May 15, 2002 shall continue to apply.

5. This circular is issued in exercise of powers conferred under Section 11(1) of the Securities and Exchange Board of India Act, 1992 to protect the interests of investors in securities and to promote the development of, and to regulate the securities market.

6. A copy of this circular is available at the web page “Circulars” and “Info for F.P.I” on our website www.sebi.gov.in. The Designated

Depository Participants/Custodians are requested to bring the contents of this circular to the notice of their FPI clients.

Yours faithfully,
ACHAL SINGH
Deputy General Manager
Tel No.: 022-26449619
Email: achals@sebi.gov.in

CIRCULAR

IMD/HO/FPIC/CIR/P/ 2017/ 003

January 04, 2017

To,

1. All Stock Exchanges and Clearing Corporations in International Financial Services Centre (IFSC)
2. All Foreign Portfolio Investors ("FPIs") through their Designated Depository Participants ("DDPs")/ Custodian of Securities ("Custodians").
3. All DDPs/ Custodian of Securities.
4. The Depositories (NSDL and CDSL)

Sir/ Madam,

Subject: Guidelines for participation/functioning of Eligible Foreign Investors (EFIs) and FPIs in International Financial Services Centre (IFSC).

- 1) Pursuant to announcement made in the Union Budget 2015-16 on Gujarat International Finance

Tec-City (GIFT), SEBI, in consultation with stakeholders, is in process of laying down requisite regulatory framework for facilitating and regulating financial services relating to securities market in an International Financial Services Centre (IFSC). Accordingly, SEBI issued IFSC Guidelines, 2015 on March 27, 2015 and also issued further guidelines for functioning of Stock Exchanges and Clearing Corporations in IFSC on November 28, 2016.

- 2) Based on consultations held with the stakeholders on the proposed regulatory framework on participation of Eligible Foreign Investors (EFIs), in partial modification to SEBI (IFSC) Guidelines, 2015, it has been decided as follows:
 - a. SEBI registered FPIs (“FPIs”), proposing to operate in IFSC, shall be permitted, without undergoing any additional documentation and/or prior approval process.

- b. In case of participation of FPIs in IFSC, a trading member of the recognized stock exchange in IFSC, may rely upon the due diligence process already carried out by a SEBI registered intermediary during the course of registration and account opening process in India.

- c. In case of participation of an EFI, not registered with SEBI as an FPI, but desirous of operating in IFSC, a trading member of the recognized stock exchange in IFSC, may rely upon the due diligence carried out by a bank, which is permitted by RBI to operate in IFSC, during the account opening process of EFI.

- d. FPIs, who presently operate in Indian securities market and propose to operate in IFSC also, shall be required to ensure clear segregation of funds and securities. Custodians shall, in turn, monitor compliance of this provision for their respective FPI clients. Such FPIs shall keep their respective custodians informed about their participation in IFSC.

- e. Recognised stock exchange in IFSC shall maintain, at all times, the necessary details of EFIs, which may be called upon by SEBI/RBI or any other authority of law.
 - f. EFIs shall abide by all the applicable Indian laws viz. Rules/Regulations/Circulars/Guidelines etc. in IFSC issued by the Government of India/RBI/SEBI or any other authority of law, from time to time.
 - g. It has now been decided to delete the words “a foreign portfolio investor,” in the definition of the term “intermediary” in clause (g) of Guideline 2 (1) of the SEBI (IFSC) Guidelines. Accordingly, the Guidelines stand amended.
- 3) This circular is issued in exercise of powers conferred under Section 11(1) of the Securities and Exchange Board of India Act, 1992 to protect the interests of investors in securities and to promote the development of, and to regulate the securities market.

4) A copy of this circular is available at the links “Legal Framework – Circular and “info for - F.P.I” on our website www.sebi.gov.in. The DDPs/Custodians are requested to bring the contents of this circular to the notice of their FPI clients.

**Yours faithfully,
ACHAL SINGH,
Deputy General Manager
Tel No.: 022-26449619
Email: achals@sebi.gov.in**

CIRCULAR

SEBI/HO/CFD/CMD/CIR/P/2017/004

January 5, 2017

To

All listed entities

Sir / Madam,

Sub: Guidance Note on Board Evaluation

1. The Companies Act, 2013 and SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“SEBI LODR”) contain broad provisions on Board Evaluation i.e. evaluation of the performance of: (i) the Board as a whole, (ii) individual directors (including independent directors and Chairperson) and (iii) various Committees of the Board. The provisions also specify responsibilities of various persons/committees for conduct of such evaluation and certain disclosure requirements as a part of the listed entity's corporate governance obligations.

2. However, the concept of Board evaluation in India is at a nascent stage. It has been brought to SEBI's notice by market participants that as the number of listed entities in India is very large, many of them may not have much clarity on the process of Board Evaluation and hence, may need further guidance.
3. SEBI has studied the practices of Board evaluation prevalent among listed entities in India. An analysis has also been done of the global practices in various jurisdictions like regulatory requirements, best practices, internal versus external evaluation, disclosure requirements etc. The matter was further discussed with the industry associations, stock exchanges, market participants and international bodies and experts to obtain their views on this subject.
4. Based on the aforesaid analysis, a guidance note in this matter has been prepared in order to guide listed entities by elaborating various aspects of Board evaluation that may help them to improve the evaluation process, derive the

best possible benefit and achieve the objective of the entire process.

5. The guidance note covers all major aspects of Board Evaluation including the following:
 - a. Subject of Evaluation i.e. who is to be evaluated;
 - b. Process of Evaluation including laying down of objectives and criteria to be adopted for evaluation of different persons;
 - c. Feedback to the persons being evaluated;
 - d. Action Plan based on the results of the evaluation process;
 - e. Disclosure to stakeholders on various aspects;
 - f. Frequency of Board Evaluation;
 - g. Responsibility of Board Evaluation and
 - h. Review of the entire evaluation process periodically.
6. The purpose of the Guidance Note is to educate the listed entities and their Board of Directors about various aspects involved in the Board Evaluation process and improve their overall performance as well as corporate governance standards to benefit all stakeholders. This would

serve as a guide for listed entities and may be adopted by them as considered appropriate. Anything mentioned in the Guidance Note shall not be construed as interpretation of provisions of SEBI LODR or any other law.

7. This Circular is issued in exercise of the powers conferred under Section 11 and Section 11A of the Securities and Exchange Board of India Act, 1992 read with Regulation 101 of SEBI LODR.
8. This Circular is available on SEBI website at www.sebi.gov.in under the categories “Legal Framework” and “Issues and Listing”.

Yours faithfully,
Pradeep Ramakrishnan
Deputy General Manager
Corporation Finance Department
Tel No.022-2644 9246
Email id - pradeepr@sebi.gov.in

For Annexures on Guidance Note on Board Evaluation, Please refer (http://www.sebi.gov.in/cms/sebi_data/attachdocs/1483607537807.pdf)

CIRCULAR

SEBI/HO/MRD/DSA/CIR/P/2017/5

January 05, 2017

All recognised/Non-operational /Exited Stock Exchanges.

All Exclusively Listed Companies in the Dissemination Board (shares of companies available for buying and selling and not for companies referred as vanishing companies.)

Dear Sir/Madam,

Subject: Exclusively listed companies of Derecognised/ Non-Operational/ Exited Stock exchanges placed in the Dissemination Board (DB).

1. SEBI vide circular dated October 10, 2016 provided a period of three months to the ELCs on the DB to submit an action plan to list or to provide exit to shareholders to the designated stock exchanges.

2. In light of representation received seeking extension of time to submit plan of action, it is decided to extend the time till March 31, 2017. All other conditions as mentioned in the SEBI circular dated October 10, 2016 remain unchanged.

3. This circular is issued in exercise of powers conferred under Section 11 (1) and 11(2) (j) of the Securities and Exchange Board of India Act, 1992, to protect the interests of investors in securities and to promote the development of, and to regulate the securities market. This circular is available on SEBI website at www.sebi.gov.in.

Yours faithfully,
Bithin Mahanta
Deputy General Manager
Ph: +912226449634
Email: bithinm@sebi.gov.in

INCOME TAX UPDATES

(TO BE PUBLISHED IN PART II, SUB-SECTION (ii) OF SECTION 3 OF THE GAZETTE OF INDIA)

**Government of India
Ministry of Finance
(Department of Revenue)
(Central Board of Direct Taxes)**

New Delhi, the 2nd January, 2017

Notification

S.O. 23(E) It is hereby notified for general information that the organization TATA Translational Cancer Research Centre ('TTCRC') under the aegis of TATA Medical Centre Trust (PAN:- AABTT2222Q) has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), from Assessment year 2016-2017 onwards in the category of 'Scientific Research Association', subject to the following conditions, namely:-

- (i) The sole objective of the approved 'Scientific Research Association' 'TTCRC' shall be to undertake scientific research;
 - (ii) The approved organization shall carry out scientific research by itself;
 - (iii) The approved organization shall maintain separate books of accounts for 'TTCRC' in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
 - (iv) The approved organization shall maintain a **separate statement of donations** received and amounts applied for scientific research for 'TTCRC' and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization:-
- (a) fails to maintain **separate books of accounts** referred to in sub-paragraph (ii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
 - (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5D of the said Rules.

(Ankita Pandey)
Under Secretary to Government of India

Notification No. 01/2017
(F.No.03/41/2015/ITA-II)

To
The Manager,
Govt. of India Press,
Mayapuri, New Delhi

Copy forwarded to:

1. The applicant organization, M/s TATA Translational Cancer Research Centre ('TTCRC')
2. CIT (E), New Delhi
3. Web Manager, New Delhi, for placing on the website incometaxindia.gov.in
4. ITCC, CBDT (4 copies)
5. Concerned file
6. Guard file.

(Ankita Pandey)
Under Secretary to Government of India

DGFT UPDATES

To be Published in the Gazette of India Extraordinary Part-II, Section - 3, Sub-Section (ii)

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade

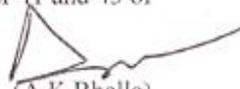
Notification No.33/2015-2020
New Delhi, Dated: 3 January, 2017

Subject: Amendment in import policy of items classified under Chapter 41 & 43 of ITC (HS), 2012–Schedule–1(Import Policy).

S.O. (E): In exercise of powers conferred by Section 3 of FT (D&R) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby amends the import policy of the following items classified under Chapter 41 and 43 of ITC (HS), 2012 – Schedule – 1 (Import Policy), as under:

Exim Code	Item Description	Policy	Existing Policy Conditions	Revised Policy
41133000	Of reptiles	Free	Imports are subject to Wild Life (Protection) act, 1972 and CITES.	Prohibited
43011000	Of mink, whole, with or without head, tail or paws	Free	Imports are subject to Wild Life (Protection) act, 1972 and CITES.	Prohibited
43016000	Of fox, whole, with or without head, tail or paws	Free	Imports are subject to Wild Life (Protection) act, 1972 and CITES.	Prohibited
43018000	Other furskins, whole, with or without head, tail or paws	Free	Imports are subject to Wild Life (Protection) act, 1972 and CITES.	Free. However import of fur of Chinchilla is Prohibited
43021100	Of mink	Free	Imports are subject to Wild Life (Protection) act, 1972 and CITES.	Prohibited

3. **Effect of this Notification:** Import policy of some items under Chapter 41 and 43 of ITC (HS) 2012 is revised.


 (A K Bhalla)
 Director General of Foreign Trade

[Issued from F.No. 01/89/180/118 /AM-02/PC-2 (A)]

EXCISE UPDATES

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)**

Notification No. 01/2017 - Central Excise

New Delhi, the 5 th of January, 2017

G.S.R. (E). – In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 2/2011-Central Excise, dated the 1st March, 2011, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide G.S.R. 117 (E), dated the 1st March, 2011, namely:-

In the said notification, in the Table, serial number 49 and the entries relating thereto shall be omitted.

[F. No. 354/122/2016 -TRU]

(Anurag Sehgal)

Under Secretary to the Government of India

Note:- The principal notification No. 2/2011-Central Excise, dated the 1st March, 2011 was published in the Gazette of India, Extraordinary, vide G.S.R. 117 (E), dated the 1st March, 2011 and last amended by notification No. 37/2016-Central Excise, dated the 31st December, 2016, published vide number G.S.R. 1201 (E), dated the 31st December, 2016.

F.No.276/104/2016-CX.8A (Pt.)
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
(Legal Cell)

'C' Wing, 5th Floor, HUDCO-VISHALA Building
Bhikaji Cama Place, R.K. Puram,
New Delhi-66: dated the 03.01.2017

Instruction

To,

1. All Principal Chief Commissioners/Chief Commissioners of Customs, Central Excise and Service Tax;
2. The Director General of Revenue Intelligence/ Central Excise Intelligence;
3. <webmaster.cbec@icegate.gov.in>

Sir/Madam,

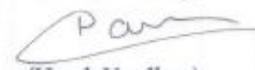
Sub: Inclusion of Show Cause Notice issued in relation to sub-section (11) of Section 28 of the Customs Act, 1962 on the competency of officers of DGDR, DGCEI and Customs (Prev.) in the Call Book-reg.

I am directed to refer to Board Instructions of even no. dated 29.06.2016 & 28.12.2016 (copy available on CBEC website) on the above subject.

2. In this regard, I am directed to say that the Board *inter alia*, had referred the issue of pending adjudications of cases covered by the above said Board Instruction to the Ld. Solicitor General of India. The Ld. Solicitor General has opined, *inter alia*, that in view of the unconditional stay in force, granted by the Hon'ble Supreme Court, the Department could continue with adjudication of the Show Cause Notices hitherto covered by the Mangali Impex judgment.

3. Thus in view of the opinion of the Ld. Solicitor General, the Board Instruction of even no. dated 29.06.2016 & 28.12.2016 on the above subject are hereby withdrawn. Consequently, the Show Cause Notices, which were kept in the Call Book in view of the above said Board Instructions, needs to be taken out of the Call Book immediately and the adjudication of such Show Cause Notices are to be proceeded with in accordance with law.

Yours faithfully,


(Harsh Vardhan)
Senior Analyst
Ph. 011-26195405

CUSTOM UPDATES

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)
(CENTRAL BOARD OF EXCISE AND
CUSTOMS)**

Notification No. 1/2017 - Customs (N.T.)

**New Delhi, dated the 05th January, 2017
15 Pausha, 1938 (SAKA)**

In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Central Board of Excise and Customs No.147/2016-CUSTOMS (N.T.), dated 15th December, 2016, except as respects things done or omitted to be done before such supersession, the Central Board of Excise and Customs hereby determines that the rate of exchange of conversion of each of the foreign currencies specified in column (2) of each

of Schedule I and Schedule II annexed hereto, into Indian currency or vice versa, shall, with effect from 06th January, 2017, be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

SCHEDULE-I

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
(1)	(2)	(3)	
		(A)	(B)
		(For Imported Goods)	(For Export Goods)
1	Australian Dollar	50.40	48.65
2	Bahrain Dinar	186.65	174.20
3	Canadian Dollar	51.95	50.40
4	Danish Kroner	9.80	9.45
5	EURO	72.80	70.30
6	Hong Kong Dollar	8.90	8.65
7	Kuwait Dinar	229.75	215.10

8	New Zealand Dollar	48.35	46.65
9	Norwegian Kroner	8.05	7.80
10	Pound Sterling	85.15	82.40
11	Singapore Dollar	48.05	46.55
12	South African Rand	5.15	4.85
13	Saudi Arabian Riyal	18.70	17.55
14	Swedish Kroner	7.60	7.35
15	Swiss Franc	67.80	65.65
16	UAE Dirham	19.10	17.90
17	US Dollar	68.80	67.15
18	Chinese Yuan	9.95	9.65
19	Qatari Riyal	19.30	18.25

SCHEDULE-II

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
		(A)	(B)
(1)	(2)	(3)	
		(A)	(B)
		(For Imported Goods)	(For Export Goods)
1	Japanese Yen	59.35	57.45

2	Kenya Shilling	67.90	63.50
---	----------------	-------	-------

**[F.No. 468/01/2017-Cus.V]
(Satyajit Mohanty) Director(ICD)
TELE: 011-2309 3380**

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION-3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE
(CENTRAL BOARD OF EXCISE AND CUSTOMS)

NOTIFICATION

New Delhi, the 6th January 2017

No.02/2017-CUSTOMS (N.T)

S.O. (E) - In exercise of the powers conferred by clauses (b) and (c) of sub-section (1) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), number 63/94-CUSTOMS (N.T), dated the 21st November, 1994, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* number S.O. 830 (E), dated the 21st November, 1994, namely:-

In the said notification, -

(a) In the opening paragraph, -

- (i) in the fifth proviso, for the words, " Provided also that Loksan and Nagarkata are appointed as Land Customs Stations", the words, " Provided also that Nagarkata is appointed as Land Customs Station" shall be substituted;
- (ii) in the sixth proviso, for the words, "Loksan, Nagarkata and Kulkuli", the words, " Nagarkata and Kulkuli " shall be substituted;

(b) in the Table, against serial number 3, relating to the land frontier of Bhutan, -

- (i) against item (1), in column (3), for the entries relating thereto in column (4), the following entries shall be substituted, namely:-

“ (a) Rangia – Tamulpur motorable road from Darranga to Samdrup –Jhankar (in Bhutan) in the District of Kamrup in Assam.

(b) Road connecting Bokajuli in Assam to Motanga Industrial Estate in Bhutan.”

- (ii) after item (8) in column 3, and the corresponding entries relating thereto in columns (3) and (4) the following shall respectively be inserted, namely:-

(1)	(2)	(3)	(4)
		“(9) Kamardwisa (Rangapani), in the Baksa District of Assam in India.	“Road connecting Kamardwisa in India to Nganglam in Bhutan.

	(10) Birpara, in the Alipurduar District of West Bengal in India.”	<p>(a) Road connecting Birpara in India to Gomtu in Bhutan through Dalmore Tea Garden (India) and Makrapara Tea Garden (India).</p> <p>(b) Road connecting Birpara in India to Pugli in Bhutan through Dalmore Tea Garden (India) and Lankapara Tea Garden (India).”</p>
--	--	--

[F.No.554/11/2012-LC]

(TEMSUNARO JAMIR)

Under Secretary to the Government of India

Note: - The principal notification was published in the Gazette of India, Extraordinary Part II Section 3, Sub-section (ii) *vide* notification number 63/94-CUSTOMS (N.T), dated the 21st November, 1994, published *vide* number S.O. 830 (E), dated the 21st November, 1994 and last amended *vide* notification number 146/2016-Customs (N.T), dated the 14th December 2016, published *vide* number S.O.4035 (E), dated the 14th December, 2016.

Circular No. 1/2017-Customs

F.No.450/101/2016-Cus-IV
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Excise and Customs)

Room 227B, North Block
New Delhi, dated the 4th January, 2017

To,

All Chief Commissioners of Customs / Customs (Preventive),
All Chief Commissioners of Customs and Central Excise,
All Principal/ Commissioners of Customs / Customs (Preventive),
All Principal/ Commissioners of Customs and Central Excise.

Madam/ Sir,

Subject: Extending the Single Window Interface for Facilitation of Trade (SWIFT) to Exports - reg.

Kind reference is invited to Board's Circulars No. 03/2016 dated 03.02.2016 and No. 09/2015 dated 31.03.2015 regarding the Indian Customs Single Window(SWIFT). This project envisages that the importers and exporters would electronically lodge their Customs clearance documents at a single point only with the Customs. The required permission, if any, from other regulatory agencies would be obtained online without the importer/exporter having to separately approach these agencies. The Single Window provides the importers/exporters a single point interface for Customs clearance of import and export goods thereby reducing interface with Governmental agencies, dwell time and cost of doing business.

2. With the successful implementation of SWIFT for import, it is proposed to implement online-release from Partner Government Agencies (PGAs) for exports from 05/1/2017 onwards as a pilot at Chennai, Delhi and Mumbai Air cargo complexes for CITES/ **wildlife items**. Under the pilot, Shipping Bills filed online on ICEGATE or through the Service Centre will be referred to the concerned agency, namely WCCB, online for a "No Objection Certificate" (NOC), if any required. The selection of items to be referred to any agency will be based on criteria specified by the agencies. As in the case of imports, the list of Customs Tariff Heads (CTHs) for which goods require NOC from the Wildlife Crime Control Bureau, shall be published on ICEGATE.

3. For granting NoC for goods entered for export, the offices of the Wildlife Crime Control Bureau are connected to the ICES. The Officers of Wild Life Crime Control Bureau may use the same role in ICES used for import, to process NOC in exports. Once a Shipping Bill is filed, the system will determine whether the consignment contains items requiring NOC from the agency. The system will then automatically re-route the Shipping Bill to the concerned WCCB office for granting NOC. Should the Shipping Bill require processing by Customs, it will happen in parallel.

4. Based on the list of Shipping Bills marked to the WCCB, the Agency's officer will retrieve the Shipping Bill online, and record the decision online on ICES. Should any documents be required for verification, for the time being, the Customs Broker or Exporter would have to produce hard copies of check-lists, export licenses, permits and other certificates/documents as required by the agency, until customs infrastructure is upgraded to

provide uploading of soft copies of such documents. At this stage, the Agency's office may record any of the following:

- (i) **Release - No Objection Certificate**
- (ii) **Out of Scope:** Item does not require the Agency's NOC
- (iii) **Reject:** Item is not permitted for clearance for "Let Export". Agency's office may make a suitable recommendation in respect of the item such as no-export or destruction. (The Agency will record this remark online.) Customs shall take further necessary action on the Shipping Bill.
- (iv) **Withhold NOC:** NOC has been temporarily withheld for want of further documentation and/or testing after entering suitable remarks in the system by the Agency. These SBs can be retrieved by Agency's office for a further decision (Release/Provisional NOC/Out-of-Scope/Reject) after the information is received.
- (v) **Provisional NOC:** Presently, WCCB does not grant NOC on a provisional basis. [Note, if this option can be easily disabled, it may be disabled.]

5. Once NOC [Release/Out of Scope/ or Provisional NOC] is obtained from the concerned agency and assessment by Customs (in cases where assessment is required) is completed, the exporter may register goods or present them for stuffing into containers (in case of containerized cargo). In cases where a sample needs to be drawn, the concerned agency will arrange with the exporter to collect them prior to the issuance of NOC. The rest of the procedure for registration of goods, examination (where required) and 'Let Export Order' will remain as at present. Since, the agency's officer records the NOC online, Customs shall not insist on the physical copy of the NOC.

6. Where the concerned officer of the Agency prefers to reject NOC by choosing option at 4(iii) above, the officer will also enter his remarks online on ICES, which will include a brief note on the basis for rejection so that the concerned Assistant/Deputy Commissioner of Customs can take further action, including adjudication under the provisions of the Customs Act, 1962. In cases where the samples fail to meet the qualifying criteria upon testing, the Agency's officer will also record the same on the system while rejecting the NoC.

7. Chief Commissioners are requested to sensitize staff, other agencies, trade and Customs brokers working under their jurisdiction to ensure the smooth implementation of the SWIFT online clearance in exports.

8. Difficulty faced, if any, may be brought to the notice of the Board at the earliest. Further, a suitable Public Notice may be issued for the information of the Trade with a copy to the local offices of the Agencies.

Yours faithfully



(Zubair Riaz)
Director (Customs)



BMC ADVISORS

DESTINATION FOR PERFECTION

(Corporate Laws and Intellectual Property Rights
Consultants)

Delhi | Mumbai | Pune | Kanpur

Corporate Office: 63/12, First Floor, Main Rama
Road, New Delhi-110015

Ph: +91 11 25101016/17, **Mob:** +91-9971666825

Email: brijesh@bmcadvisors.in,
brijesh@brijeshmathur.com

Website: www.bmcadvisors.in