

Instruction No.05/2022-Customs

F. No. 450/89/2022-Cus-IV
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes and Customs)

North Block, New Delhi,
Dated the 16th May, 2022.

To,

All Principal Chief Commissioner/Chief Commissioner of Customs/Customs (Preventive)
All Principal Chief Commissioner/Chief Commissioner of Customs & Central Tax
All Principal Commissioner/ Commissioner of Customs & Customs (Preventive)
All Principal Commissioner/ Commissioner of Customs & Central Tax.


Subject: Amendment in Export Policy of Wheat- reg.

Madam/Sir,

Kind attention is invited to Notification No. 06/2015-2020 dated 13.05.2022 issued vide S.O. No.2236(E) on above captioned subject, wherein the Central Government has prohibited the export of various categories of Durum Wheat (as at S.no. 59 of Chapter 10 of Schedule2 of the ITC (HS) related to export policy of wheat) (Annexure-I) except for certain shipments.

2. The above stated prohibition comes into immediate effect, subject to certain allowance specified in para 2 of the notification.
3. Further attention is also invited to DGFT's Trade Notice No.06/2022-2023 dated 14.05.2022 elaborating on the modalities for implementation of the above stated notification. (Annexure-II).
4. All the Pr.Chief/Chief Commissioners are hereby requested to kindly bring the contents of this Notification and the Trade Notice No.06/2022-2023 dated 14.05.2022, to the attention of all concerned for its immediate implementation.

Enclosed : As above.


(Eric.C.Lallawmpuia)
OSD (Customs IV)

Copy to :
All Principal DGs/DGs under CBIC



भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2121]
No. 2121]

नई दिल्ली, शनिवार, मई 14, 2022/वैशाख 24, 1944
NEW DELHI, SATURDAY, MAY 14, 2022/VAISAKHA 24, 1944

वाणिज्य एवं उद्योग मंत्रालय
(वाणिज्य विभाग)
(विदेश व्यापार महानिदेशालय)
अधिसूचना
नई दिल्ली, 13 मई, 2022
सं. 06/2015-2020

विषय : गेहूं की निर्यात नीति में संशोधन।

का.आ. 2236(अ).—जबकि, कई कारणों से गेहूं के वैश्विक मूल्यों में आए अचानक उछाल के परिणामस्वरूप भारत, पड़ोसी तथा अन्य प्रभावित देशों के सामने खाद्य सुरक्षा का जोखिम उत्पन्न हो गया है;

जबकि, भारत सरकार भारत, पड़ोसी देशों तथा अन्य प्रभावित विकासशील देशों की खाद्य सुरक्षा की आवश्यकताओं को उपलब्ध करवाने के लिए प्रतिबद्ध है जो गेहूं के वैश्विक बाजार में इस अचानक आए परिवर्तन से बुरी तरह से प्रभावित हुए हैं और गेहूं की पर्याप्त आपूर्ति कर पाने में असमर्थ हैं;

इसलिए, देश की समग्र खाद्य सुरक्षा का प्रबंधन करने तथा पड़ोसी और अन्य प्रभावित देशों की आवश्यकताओं की सहायता करने के उद्देश्य से, केन्द्र सरकार विदेश व्यापार नीति, 2015-2020 के पैरा 1.02 और 2.01 के साथ पठित विदेश व्यापार (विकास एवं विनियमन) अधिनियम, 1992 (1992 की संख्या 22) की धारा 5 के साथ पठित धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा गेहूं के निर्यात से संबंधित आईटीसी (एचएस) निर्यात नीति की अनुसूची-2 के अध्याय 10 क्रम संख्या 59 की निर्यात नीति में निम्नलिखित संशोधन करती है;

क्र. सं.	आईटीसी (एचएस) कोड	विवरण	मौजूदा नीति	संशोधित नीति
59	1001 10011900	डुरम गेहूं अन्य	मुक्त	निषिद्ध

	100199	अन्य		
	10019910	अन्य गेहूँ		
	10019920	अन्य		

2. तथापि उपर्युक्त उत्पादों/मदों का निर्यात निम्नलिखित शर्तों के तहत अनुमत होगा:

- (क) संक्रमणकालीन प्रबंधन के रूप में, शिपमेंट के मामले में निर्यात अनुमत होगा जहां अप्रतिसंहारणीय साख- पत्र जारी किए जाने के पश्चात अथवा इस अधिसूचना की दिनांक से अथवा पहले जो निर्धारित दस्तावेजी साक्ष्यों के प्रस्तुत किए जाने के अधीन है: अथवा
- (ख) अन्य देशों की खाद्य सुरक्षा की आवश्यकताओं की पूर्ति करने के लिए तथा उनकी सरकारों के अनुरोध के आधार पर भारत सरकार द्वारा प्रदान की गई अनुमति के आधार पर निर्यात भी अनुमत होगा।

3. अधिसूचना का प्रभाव:

उपर्युक्त एचएस कोड के तहत गेहूँ की निर्यात नीति उपर्युक्त पैरा 2 में उल्लिखित शर्तों को पूरा करने को छोड़कर शिपमेंट के लिए तत्काल प्रभाव से "निषिद्ध" है जो कि विदेश व्यापार नीति, 2015-2020 के पैरा 1.05(ख) में दी गई प्रक्रिया के अनुसार अनुमत होगी।

[फा. सं. 01/91/180/032/एएम22/ईसी/पार्ट/ई-31386]

संतोष कुमार सारंगी, महानिदेशक, विदेश व्यापार

एवं पदेन अपर सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

(DIRECTORATE GENERAL OF FOREIGN TRADE)

NOTIFICATION

New Delhi, the 13th May, 2022

No. 06/2015-2020

Subject: Amendment in the Export Policy of Wheat.

S.O. 2236(E).—Whereas, there is a sudden spike in the global prices of wheat arising out of many factors, as a result of which the food security of India, neighbouring and other vulnerable countries is at risk;

Whereas, the Government of India is committed to providing for the food security requirements of India, neighbouring and other vulnerable developing countries which are adversely affected by the sudden changes in the global market for wheat and are unable to access adequate wheat supplies;

Therefore, in order to manage the overall food security of the country and to support the needs of the neighbouring and other vulnerable countries, the Central Government, in exercise of powers conferred by Section 3 read with Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992), as amended, read with Para 1.02 and 2.01 of the Foreign Trade Policy, 2015-20, hereby makes the following amendment in the Export Policy of S.No.59 of Chapter 10 of Schedule 2 of the ITC (HS) Export Policy related to Export of Wheat:

S.No.	ITC HS Codes	Description	Present Policy	Revised Policy
59	1001	Durum wheat:	Free	Prohibited
	100119 00	Other		
	100199	Other		
	10019910	Other wheat		
	10019920	Other		

2. The export of the above products/ items, however, shall be allowed under the following conditions:
- A. As a transitional arrangement, export will be allowed in case of shipments where Irrevocable Letter of Credit (ICLC) has been issued on or before the date of this Notification, subject to submission of documentary evidence as prescribed; or
- B. Export will also be allowed on the basis of permission granted by the Government of India to other countries to meet their food security needs and based on the request of their governments.

3. Effect of this Notification:

The export policy of wheat against the above mentioned HS codes is “Prohibited” with immediate effect except for shipments fulfilling the conditions mentioned in Para 2 above which will be allowed as per the procedure outlined in Para 1.05 (b) of the Foreign Trade Policy, 2015-2020.

[F. No. 01/91/180/032/AM22/EC/Pt./E-31336]

SANTOSH KUMAR SARANGI, Director General of Foreign Trade
& Ex-officio Addl. Secy.

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
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Dated 14th May, 2022

Trade Notice No. 06/2022-23

To

1. All Regional Authorities of DGFT
2. All Customs Commissionerates
3. Members of Trade

Subject: Implementation of Notification No.06/2015-2020 dated 13th May, 2022.

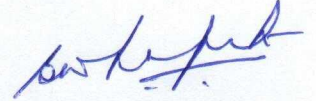
Reference is invited to Notification No.06/2015-2020 dated 13th May, 2022 amending the export policy of Wheat under S.No.59 of Chapter 10 of Schedule – 2 of the ITC (HS) Export Policy from 'Free' to 'Prohibited' with immediate effect. It has further been notified that the export of wheat shall be allowed under the following conditions:

- A. As a transitional arrangement, export will be allowed in case of shipments where Irrevocable Letter of Credit (ICLC) has been issued on or before the date of this Notification, subject to submission of documentary evidence as prescribed; or
 - B. Export will also be allowed on the basis of permission granted by the Government of India to other countries to meet their food security needs and based on the request of their governments.
2. Transitional Arrangement as defined vide Para 1.05 (b), inter-alia, prescribes as under:

“.....the import/export on or after the date of such regulation/restriction will be allowed for importer/exporter has a commitment through Irrevocable Commercial Letter of Credit (ICLC) before the date of imposition of such restriction/ regulation and shall be limited to the balance quantity, value and period available in the ICLC. For operational listing such ICLC, the applicant shall have to register the ICLC with jurisdictional RA against computerized receipt within 15 days of imposition of any such restriction/regulation....”

3. Accordingly, export (as per Para 2.17 and 9.12 of the Handbook of Procedure, 2015-2020) of wheat for which Irrevocable Commercial Letter of Credit (ICLC) have been opened on or before 13th May, 2022 and subsequently registered with the jurisdictional Regional Authorities of DGFT, as per provisions under Para 1.05 (b) of Foreign Trade Policy, 2015-2020, are permitted.
4. All RAs under DGFT are hereby directed to issue Registration of Contracts (RCs) to the exporters of wheat, preferably within a prescribed time limit of 24 hours, on submission of application, complete in all respect, by the exporters.
5. However, export of wheat on Humanitarian ground, as Aid/Assistance/Government to Government shall be allowed, on case to case basis, with the specific approval of competent authority.

This issues with the approval of competent authority.



(S. K. Mohapatra)

Deputy Director General of Foreign Trade

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(Issued from F.No. 01/91/180/032/AM22/EC/Pt,/E-31336)