

GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE & INDUSTRY  
DEPARTMENT OF COMMERCE  
Office of the Zonal Jt. Director General of Foreign Trade  
CLA, "A" Wing, I.P. Bhawan, I.P. Estate  
NEW DELHI - 110002.

F. NO 055007100026AM17

DI.

1283303  
27/12/17

To,

M/LEASTWIND HOLIDAYS INDIA  
C-222, SARVODAYA ENCLAVE

NEW DELHI DELHI  
1100

Subject: Recovery of SFIS benefits to firms representing brands not identified as Indian Brands.

Sir,

Your attention is invited to the decision of the Policy Interpretation Committee of the DGFT in meeting No.10/AM12 held on 27<sup>th</sup> December 2011 where it was decided that grant of benefits to companies representing brands not identified as Indian Brands would not be harmonious with the intent of the SFIS Scheme.

The Hon'ble Bombay High Court vide its combined Judgement dated 17.08.2015 through a division bench of two Judges upheld the decision of PIC.

Subsequently SLP No.29742 filed before Hon'ble Supreme Court challenging the decision of Hon'ble Bombay High Court was dismissed by Hon'ble Supreme Court.

In view of the Hon'ble Supreme Court decision your cases under which SFIS were issued to you have been re-examined and it has been revealed that your company do not represent an Indian Brand. As such SFIS benefit granted to your company is not harmonious with the intent and spirit of SFIS scheme of the Foreign Trade Policy.

The SFIS benefit granted to you (as per annexure enclosed) is recoverable from you. Therefore, you are advised to refund/deposit duty credit amount (as per detail in enclosed annexure) alongwith applicable interest (from the date of issuance of SFIS scrips till the date of deposit of duty credit amount) by...19.11.18... failing which action shall be initiated against you under FT (D & R) Act, 1992 (amended from time to time).

This issues with the approval of competent Authority.

Yours faithfully,

(A)  
FOREIGN TRADE DEVELOPMENT OFFICER  
FOR ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE

राकेश कुमार.