

AEPC/HO/QRM/Unclaimed EMD/2016

15<sup>th</sup> April, 2016



**Apparel Export  
Promotion Council**

(Sponsored by Govt. of India, Ministry of Textiles)

**To : All the apparel exporters / registered members of AEPC / Trade and Industry.**

## **CIRCULAR**

**Sub : Refund of unclaimed EMD**

A large number of letters for refund of unclaimed EMD are being received from the apparel exporters for consideration of QAA, albeit, without any supporting documents and also much after the stipulated time as provided in the Gazette Notification S.O. No. 8/3/2015-EP dated 02.11.2015, when forfeiture of unclaimed funds has already been declared in favour of Government as per provision of the above mentioned Gazette Notification.

2. In this regard, this is to inform all the members / garment exporters that the issue of unclaimed EMD lying in AEPC for a long time, was discussed in the Ministry of Textiles and it was observed that this EMD was submitted by the exporters for obtaining various types of quota under the quota scheme of Government of India and as such, this unclaimed amount belongs to the Government of India and AEPC was only the custodian of this money. After detailed deliberation, it was decided that this amount may be deposited in the Consolidated Fund of India as no claimant has claimed these funds over last more than ten years even after phasing out of quota. However, in order to provide the natural justice to one and all, an opportunity was decided to be given to all the garment exporters to submit their claim, whatsoever for refund of their EMD, if legally due, to be decided / determined by QAA based on the supporting documentary evidence to be submitted by the individual claimant.

3. In pursuance of the above decision, the Ministry of Textiles has issued Gazette Notification S.O. No. 8/3/2015-EP dated 02.11.2015 and granted an opportunity to all garment exporters to submit their claims if any, alongwith supporting documentary evidence within a period of 90 days from the date of publication of said notification.

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4. QAA with a view to widely publicize, the said notification was uploaded on the AEPC's website for the information of the Trade and also a mass e-mail in this regard was sent to all the garment exporters, whose information / email IDs were available with AEPC. QAA also directed all the Regional offices of AEPC to display the said notification on the Notice Board of their Region for the information of the Trade.

5. Some of the Apparel exporters mentioned that the QAA had fixed the dead line of **31<sup>st</sup> March, 2016** for exporters to file relevant documents for refund of their EMD and requested that this deadline be extended to enable them to find relevant documents which are over 10 years old. The fact of the matter is that this is only figment of their own imagination and QAA has neither issued any such letter / correspondence to any of the Apparel Exporters nor has any authority to extend the claim period, decided by the Ministry of Textiles, Government of India.

6. As the claim period has already expired on **20.02.2016**, no request submitted by any of the claimants with or without any documentary evidence, could be entertained now at this stage, more so, because as per provisions under clause 12-C of the Gazette Notification dated 02.11.2015 issued by the Ministry of Textiles, Government of India, the unclaimed funds have already been declared forfeited by QAA in favour of Government of India and **now the same is due to be paid up by AEPC with all the interest accrued till the date of payment in the Consolidated Fund of India (CFI).**

7. This is for the information of all the apparel exporters / registered members of AEPC / Trade and Industry.

*Puneet Kumar*  
*15/04/2016.*

**(PUNEET KUMAR, IAS)**

**QUOTA ADMINISTERING AUTHORITY**