Software Technology Parks of India – Bengaluru

Procedure for condonation of delay in submission of Softex for the period prior to STPI Registration

An application for condonation of delay in submission of SOFTEX for the period between IEC date and prior to STPI registration may be submitted in the form of Condone Request Letter addressed to **"Director, STPI Bangalore"** on letter head & signed by authorized signatory as per the prescribed format below:

1. Name of Unit
2. LOP No. and Date
3. Validity of LOP
4. IEC No. & Date (furnish copy of IEC document)
5. Reason for non-filing of the Softex within the stipulated time
6. Period of invoices to be condoned
7. Details of Invoices for the said period/months as per table below:

Sl.No.	Month	Invoice No.	Invoice Date	Invoice Currency	Invoice Value

8. Details of Condone taken earlier (Yes/ No, if yes please mention the reason for filing it again)
   - Date of condone
   - Period of Invoices
9. Whether the Softex statements filed for the period subsequent to the condone period (if yes mention the period)
10. Undertaking from exporter (Confirming lapses for delay in submission of Softex will not recur in future)
11. Contact details for correspondence (including contact no. & email ID)

The said application shall be supported by following documents on the respective letter head:

- A certificate from a Chartered Accountant/ Statutory Auditor confirming that the exports had taken place as per the declaration of the exporter and payment has been realized in full through an AD Bank, the details of invoices should also be duly signed by CA along with Certificate. (Annexure I).
- A certificate from the AD bank confirming that the payment against the export has been realized in full and the entry is outstanding in EDPMS, the details of invoices should also be duly attested by Bank (Annexure II)
- A declaration from the exporter that these exports were genuine trade transactions undertaken and that the payments have been realized in full through an AD Bank etc. (Annexure III)

<u>Certificate of Genuineness of Exports</u>

This is to certify that the declaration of exports realization for the period from____to ____as per the relevant enclosures furnished have been verified and it was found that all export values have been realized in full through an AD Bank. There is no pending/ outstanding export value against any of the software export invoices for the said period pertaining to the exporter M/s _____located at_____

Date   **Seal and Stamp of CA / Statutory Auditor**

Place

Encl. Details of invoices against which the export payment has been realized as per below table.

Sl.No.	Name of Client	Invoice No.	Invoice Date	Invoice Currency	Invoice Value

Certificate from AD Bank confirming realisation of Export Value and status in EDPMS

This is to certify that Software Export payments to M/s_____for the period from_____to_____as per the relevant enclosures furnished, has been realized in full and remain outstanding in EDPMS, within the period of realization as per RBI guidelines/ regulations made under the Foreign Exchange Management Act 1999.

Date   **Signature & Seal of the AD Bank**

Place

Encl. Details of invoices against which the export payment has been realized as per below table.

Sl.No.	Name of Client	Invoice No.	Invoice Date	Invoice Currency	Invoice Value

[For STP Unit]

Undertaking from Exporter confirming Genuineness of Trade Transactions

This is to certify that the exports made by M/s_____ for the period between _____and _____ are genuine transactions made against a valid work order/ contract. The payment against these exports have been realized in full through_____ (Name of AD Bank) located at_____ (Address of Bank).

It is undertaken that:

- ✓ Such lapses in filing SOFTEX and submitting relevant document enclosures will not occur in the future.
- ✓ These/ This export(s) prior to registration under STP Scheme were/ was not considered for meeting of Export Obligation/ or for calculating Net Foreign Exchange/ or for availing any duty exemptions/ benefits entitled for EOU/ STP.
- ✓ These /This export(s) were / was considered only for realization/ regularization of exports proceeds as per FEMA guidelines of RBI and will not be used for regularizing or validating any irregularities, contravention, or any other lapses, if any, under the provision of any other laws/ regulations.
- ✓ There is no adverse notice/ action from any of the enforcement agencies of India for those invoices/ transactions against which SOFTEX is being filed for condonation.

Date   **Authorised Signatory of the Exporter**

Place

[For NSTP Unit]

Annexure III

<u>Undertaking from Exporter confirming Genuineness of Trade Transactions</u>

This is to certify that the exports made by M/s_____for the period between _____and_____are genuine transactions made against a valid work order/ contract. The payment against these exports have been realized in full through_____ (Name of AD Bank) located at_____ (Address of Bank).

It is undertaken that:

- ✓ Such lapses in filing SOFTEX and submitting relevant document enclosures will not occur in the future.
- ✓ There is no adverse notice/ action from any of the enforcement agencies of India for those invoices/ transactions against which SOFTEX is being filed for condonation.

Date   **Authorised Signatory of the Exporter**

Place