RESERVE BANK OF INDIA
Foreign Exchange Department
Central Office
Mumbai - 400 001

RBI/2012-13/359

A.P. (DIR Series) Circular No. 66   January 1, 2013

To

All Category - I Authorized Dealer Banks

Madam / Sir,

**Export of Goods and Services –
Simplification and Revision of Softex Procedure at SEZs**

Attention of the Authorised Dealer Banks is invited to Regulation 6 of the Notification No. FEMA 23/2000-RB dated May 3, 2000 viz. Foreign Exchange Management (Export of Goods and Services) Regulations, 2000, as amended by the Notification No.FEMA.36/2001-RB dated February 27, 2001, in terms of which designated officials of the Ministry of Information Technology/ Ministry of Commerce and Industry(as the case may be), Government of India at the Software Technology Parks of India (STPIs) or at Free Trade Zones (FTZs) or Export Processing Zones (EPZs) or Special Economic Zones (SEZs), had been authorized to certify exports declared through SOFTEX Forms.

2. A revised Softex procedure was first introduced at the 5 designated centres of STPIs from April 1, 2012 vide A.P. (DIR Series) Circular No.80 dated February 15, 2012 and subsequently extended to all STPIs in India vide A.P. (DIR Series) Circular No.47 dated October 23, 2012.

3. It has now been decided to implement the revised Softex procedure at all SEZs/EPZs/100%EOU/DTA also with immediate effect.

4. As per the revised procedure, a software exporter either under STPIs or SEZs/EPZs/100%EOU/DTA, whose annual turnover is at least Rs.1000 crore or who files at least 600 SOFTEX forms annually on all India basis, will be eligible to submit statements in revised excel format sheets as per enclosed Annexures A & B . All other terms and conditions mentioned in the A.P. (DIR Series) Circular No.80 dated

... 2

February 15, 2012 applicable to exporters of software situated in STPIs would remain unchanged.

5. Authorised Dealers may bring the contents of this circular to the notice of their constituents concerned.

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,

(Rashmi Fauzdar)
Chief General Manager

Format of Softex Forms submitted in bulk
Summary Sheet
Section –A

Name and address of Exporter		Period from & to :
Letter of Permission (LOP) No.(STP/EHTP/SEZ/EPZ/100% EOU/DTA Unit)		Date of LOP issued :
Name of Authorised Datacom Service Provider		IEC Code :
Name and Address of Authorised Dealer/Bank		Authorised Dealer Code :

Section - B

List of Invoices for offshore export value through datacom/link

Period of Invoices raised from _____ to _____

Sr. No.	Softex No.	Name of the Client	Address of the Client	Country	Currency	Invoice Number	Invoice Date (DD/MM/YY)	Internal project code/ Contract Agreement No. & Date	Type of S/W Exported (RBI Distinct Code) Ex 906 to 911 then specify	Offshore Export Value in Foreign Currency (Invoice Amt)

Section – C
Declaration by Exporter

I/We hereby declare that I/we am/are the seller of the software in respect of which this declaration is made and that the particulars given above are true and that the value to be received from the buyer represents the export value contracted and declared above. I/We also declare that the software has been developed and exported by using authorized and legitimate datacom links.

I/We undertake that I/We will deliver to the bank named above the foreign exchange representing the full value of the software exported as above on or before _____ (i.e. within six months from the date of invoice/ date of last invoice raised during a month), in the manner specified in the Regulations made under the Foreign Exchange Management Act, 1999

Place   :
Date   :
Name   :   _____
Designation :   Stamp   Signature of the Exporter

Space for use of the Competent Authority in STPI/EPZ/SEZ

*1. Certified that the software described above was actually transmitted and the export value declared by the exporter has been found to be in order and accepted by us.

*2. Certified on the basis of above declaration by the SEZ unit that the software described above and the export value declared by the exporter has been found to be in order and accepted by us.

Place   :
Date   :   Stamp   _____
Name   :   Signature of the Designated Official of
Designation :   STPI/EPZ/SEZ

*   Strike out which is not applicable

Format of Softex Forms submitted in bulk for royalty receipt
Summary Sheet
Section –A

Name and address of Exporter		Period from & to :
Letter of Permission (LOP) No.(STP/EHTP/SEZ/EPZ/100% EOU/DTA Unit)		Date of LOP issued :
Name of Authorised Datacom Service Provider		IEC Code :
Name and Address of Authorised Dealer/Bank		Authorised Dealer Code :

Section - B

List of Invoices for offshore export value through datacom/link

Details of invoices for Royalty on software Packages/products exported during the period raised from _____ to _____

Sr. No.	Softex No.	Name of the Client	Address of the Client	Country	Currency	Invoice Number	Invoice Date (DD/MM/YYYY)	Unique Internal project code/ Contract Agree-ment / PO Date	Offshore Export value in Invoice currency	Type of Software Exported	Details of Software Packages/ Products exported			Mode of realisa-tion of Royalty value	Calcula-tion of Royalty amount
											GR/SDF/PP/ SOFTEX Form No. on which exports were declared	Date of Export	Royalty agreement details		
													% and amount of royalty	Period of Royalty agree-ment	

Section – C

Declaration by Exporter

I/We hereby declare that I/we am/are the seller of the software in respect of which this declaration is made and that the particulars given above are true and that the value to be received from the buyer represents the export value contracted and declared above. I/We also declare that the software has been developed and exported by using authorized and legitimate datacom links.

I/We undertake that I/We will deliver to the bank named above the foreign exchange representing the full value of the software exported as above on or before _____ (i.e. within six months from the date of invoice/ date of last invoice raised during a month), in the manner specified in the Regulations made under the Foreign Exchange Management Act, 1999

Place   :
Date   :   Stamp
Name   :   _____
Designation   :   Signature of the Exporter

Space for use of the Competent Authority in STPI/EPZ/SEZ

*1. Certified that the software described above was actually transmitted and the export value declared by the exporter has been found to be in order and accepted by us.

*2. Certified on the basis of above declaration by the SEZ unit that the software described above and the export value declared by the exporter has been found to be in order and accepted by us.

Place   :
Date   :   Stamp
Name   :   _____
Designation   :   Signature of the Designated Official of
                                                                                                                                              STPI/EPZ/SEZ

*   Strike out which is not applicable