Government of India
Ministry of Commerce & Industry
Directorate General of Foreign Trade
Udyog Bhawan, New Delhi- 110011.

Dated:- 7ᵗʰ December, 2020.

ECA Circular No. 36 /2015-20

To

All Regional Authorities

Subject: Providing documents sought by investigating agencies like CBI, ED, DRI, etc.

Attention is drawn to ECA Circular No. 3/1999-2000 dated 10th January, 2000 and OM No.11/2004 dated 26th July, 2004 whereby it has been stated that the RAs would hand over the cases to the investigating agencies **with the prior approval of Headquarters**. This arrangement was prescribed to ensure that only deserving cases are sent for investigation. No permission was required to handover the documents as asked for by the investigating agencies where our offices are not making any reference for investigation.

2.   This Directorate has been regularly receiving references from the Regional Authorities seeking permission to hand over documents/copies of documents to the external investigating agencies. Making such references to Headquarters delay the handing over of documents and consequentially result in delays in the investigations. Therefore, it has been decided that whenever a request for documents is received from an investigating agency, Head of the Regional Authority may decide the same keeping in view facts and circumstances of the case.

3.   RAs should provide the requisite records to the investigating agency against a request in writing, under proper receipt, recording name and designation of the receiver. A copy of official ID of the receiving officer should also be kept in record. RA Should also keep copies of the record being handed   over.

4.   If, for any reason, Head of Office is of the view that the requisite documents should not be handed over, he shall make a reference to the ECA Division of Hqrs. clearly bringing out the reasons for such refusal.

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