

Overview of Latest Notifications and Circulars by DGFT, Customs and GST impacting Exporter/ Importer

Updated as on 25.04.2020

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Overview of Latest Notifications and Circulars impacting Exporters / Importers by:

	Issuing Authority	Dept/Ministry/
1	Director General of Foreign Trade (DGFT)	Ministry of Commerce and Industries
2	Central Board of Customs and Indirect Taxes (CBIC) – Customs	Ministry of Finance
3.	Central Board of Customs and Indirect Taxes (CBIC) – GST	Ministry of Finance
4.	Directorate of Shipping (DG Shipping)	Ministry of Shipping
5.	Reserve Bank of India (RBI)	Government of India
6.	Other Ancillary Agencies.	

***Director General of
Foreign Trade
(DGFT)***

DGFT:

Extension of Foreign Trade Policy (15-20)

- **The Foreign Trade Policy (2015-20) which was to expire on 31.03.2020 is been extended for period of 1 Year and the same will now remain in force upto 31.03.2021** *{Notification No. 57/2015-20 Dt. 31.03.2020}*
- **Handbook of Procedures will also be simultaneously extended for period upto 31.03.2021** *{Public Notice No. 67/2015-20 Dt. 31.03.2020}*

DGFT:

Merchandise Export From India Scheme (MEIS):

- *Since the Policy has been extended for period of 1 Year upto 31.03.2021 all Schemes unless otherwise have been extended for period of 1 Year. MEIS will thus be continued to be available.*
- *However Exporter must know that the DGFT Vide Public Notice No. 47/2015-20 Dated 07.12.2019 has terminated the additional 2% MEIS benefit on 31.12.2019.*
- *Also by Public Notice No. 58/2015-20 Dated 29.01.2020, MEIS for Export of Products under chapter 61,62,63 of ITC(HS) is be closed w.e.f 07.03.2019 and in lieu of which a Scheme called RoSCTL has been replaced.*

DGFT:

Merchandise Export From India Scheme (MEIS):

DGFT have has clarified regarding the MEIS Scheme that:

- a) Benefits under MEIS for any item/tariff line /HS Code currently listed in Appendix 3B, Table 2 (MEIS Schedule) will be available only up to 31.12.2020

- b) Prior to 31.12.2020, as and when an item/tariff line/HS code is notified to be covered under RoDTEP Scheme, it would at the same time be removed from coverage under MEIS

- c) Detailed operational framework for the Scheme for Remission of Duties and Taxes on Exported Products (RoDTEP) will be notified separately in consultation with Department of Revenue, Ministry of Finance. *{Trade Notice No. 03/2020-21 Dt. 15th April 2020}*

DGFT:

Merchandise Export From India Scheme (MEIS):

- ***As per the Procedure the last date for filing of MEIS Application is 12 Months from the LEO Date. However, for S/Bills where LEO date falls during period 01.02.2019 to 31.05.2019 the application will be allowed to be filed in a period of 15 Months instead of 12 Months.***

{Public Notice No. 67/2015-20 Dt. 31.03.2020}

DGFT:

Service Export From India Scheme (SEIS):

- ***As per procedure SEIS has to be filed within 12 Months from the end of the Financial Year. Thus for FY 2018-19 the last date was 31.03.2020. However, the said date for FY 2018-19 has been extended to 31.012.2020.***
{Public Notice No. 67/2015-20 Dt. 31.03.2020}
- ***Following Para has been added in the FTP Para 3.08(a)***
: "However, the service categories eligible under the scheme and the rates of reward on such services as rendered w.e.f 1st April 2019 to 31st March 2020 shall be notified separately in Appendix 3X.
For Services rendered w.e.f 1st April 2020, decision on continuation of the scheme will be taken subsequently and notified accordingly."
{Notification No. 57/2015-20 Dt. 31.03.2020}

DGFT:

Status Holder Certificate (Export House):

- ***As per the amended in the HBP, the Validity of Status Holder Certificate will be for period of 5 Years from the date of Issue or 31.03.2021 whichever is later.***

Thus, the validity for Status Holder Certificate which were to expire on 31.03.2020 will now be valid upto 31.03.2021 {Public Notice No. 67/2015-20 Dt. 31.03.2020}

DGFT & CUSTOMS:

Advance Authorisation:

- ***Duties Exempted under Advance Authorisation Para 4.14 included IGST and Compensation Cess upto 31.03.2020. The same has been extended by GST Council upto 31.03.2021. DGFT and Customs have notified accordingly.***

{DGFT Notification No. 57/2015-20 Dt. 31.03.2020}

{ Customs Notification No. 18/2020 Dt. 30.03.2020}

DGFT :

Advance Authorisation:

- *The Validity of the Ad-hoc Norms which was upto 31.03.2020 or a period of 3 Years, The date 31.03.2020 is substituted with 31.03.2021*
- **Validity of Import and Revalidation of Authorisation:**
A sub para (e) has been added after 4.41(d) which automatically extends the validity for Import for all Authorizations expiring between 01.02.2020 and 31.07.2020 by SIX MONTHS from the date of expiry. No separate amendment/endorsement is required by the authorization. Also, the option to avail further validity extension under this para would remain available as per the eligibility.
- **Export Obligation(EO) Period and its Extension –**
A Sub Para (h) has been added after 4.42(g) – which automatically extends the Export Obligation period of all the Authorisation expiring between 01.02.2020 and 31.07.2020 by SIX MONTHS from the date of expiry. No separate Application with composition Fee, amendment or endorsement is required. Also, the option to avail further validity extension under this para would remain available as per the eligibility.

{Public Notice No. 67/2015-20 Dt. 31.03.2020}

DGFT:

DFIA & RoSTCL:

- DFIA - Where validity of Import expiring between 01.02.2020 to 31.07.2020 the same is extended automatically for SIX MONTHS {*Notification No. 57/2015-20 Dt. 31.03.2020*}

DGFT:

EPCG:

- ***Duties Exempted under EPCG Scheme Para 5.01(a) included IGST and Compensation Cess upto 31.03.2020. The same has been extended by GST Council upto 31.03.2021. DGFT and Customs have notified accordingly.***

{DGFT Notification No. 57/2015-20 Dt. 31.03.2020}

{ Customs Notification No. 18/2020 Dt. 30.03.2020}

DGFT :

EPCG:

- Import Validity - Where validity of Import expiring **between 01.02.2020 to 31.07.2020 the same is extended automatically for Six Months**
{Notification No. 57/2015-20 Dt. 31.03.2020}
- Certificate of Installation of Capital Goods – where the six months period expires during **01.02.2020 to 31.07.2020, the period for submission of Installation Certificate is extended by further 6 Months from the Original Due Date.**
- Block-wise Fulfillment of EO – There is addition after 5.14 (d) as sub para 5.14 (e) which **automatically extends Blockwise EO Period by SIX MONTHS** for period expiring during **01.02.2020 to 31.07.2020 under Para 5.14 (a),(b),(c).**
- Extension in Export Obligation Period– There is addition after 5.17 (d) as sub para 5.17 (e) which **automatically extends Export Obligation Period by SIX MONTHS** for period expiring during **01.02.2020 to 31.07.2020 under Para 5.17 (a),(b),(c).** ***{Public Notice No. 67/2015-20 Dt. 31.03.2020}***

DGFT:

EPCG:

- One Time Condonation under EPCG Scheme for
 - Block-Wise Extension
 - EO Period Extension
 - Delay in Submission of Installation certificate

The last date being 31.03.2020 is now being extended without any additional composition fees **to be 31.03.2021**

{Public Notice No. 01/2015-20 Dt. 07.04.2020}

DGFT :

Registration Cum Membership Certificate (RCMC):

- **The DGFT has issued a Trade Notice In View of the Current Situation, they have instructed all Regional Authorities (RA) not to insist for Valid RCMC (if the same is expired on or before 31.03.2020) from applicants till 30.09.2020. They have also Instructed EPCs to collect applicable fees for the year 2020-21 on restoration of normalcy.**

{Trade Notice No. 60/2019-20 Dt. 31.03.2020}

DGFT :

Export Policy:

- **Export Policy of Personal Protection Equipment (PPE) / Masks**
 - Original Notification to “Prohibit” the same is issued vide ***Notification No. 44 Dt. 31.01.2020 & 47 Dt. 08.02.2020***
 - Modified vide ***Notification No. 48 Dt. 25.02.2020*** to allow all products except PPE and N-95 Masks and other than those allowed in the Notification.
 - All Surgical Masks/Disposable Masks including 2/3 Ply Masks are now “PROHIBITED” along with All Ventilators and Textile Material for Masks and Overalls notified vide ***Notification No. 52 Dt. 19.03.2020***. The Balance 9 items in Notification No. 48 continues to remain free like Gloves, Surgical Blades, Non Woven Shoe Covers, Gas Masks, etc...

DGFT :

Export Policy:

- **Export Policy on Specific API and Formulations.**

- 13 APIs and its formulations were “Restricted” vide ***Notification No. 50 Dt. 03.03.2020***
- DGFT vide ***Policy Circular 34 Dt. 20.003.2020*** allowed Exporters having “Advance Authorisation” Prior to 03.03.2020 to Export under the “Prohibited” 13 APIs and its formulations.
- Subsequently vide DGFT ***Notification No. 02 Dt. 06.04.2020*** released 12 APIs and its formulations from “Restricted” to “FREE”. Only Paracetamol and Formulations made of Paracetamol continued to be “Restricted”
- Recently DGFT Vide ***Notification No. 03 Dt. 17.04.2020*** modified export policy on Formulations made of Paracetamol (including FDCs) from “Restricted” to “FREE”. Thus now, only API – Paracetamol continues to be “Restricted”.

DGFT :

Export Policy:

- **Export Policy on certain other products**

- ***Notification No. 53 Dt. 24.03.2020*** further modified prohibition on All Ventilators to all include any artificial respiratory or oxygen therapy apparatus or any other breathing appliance/device. It also “Prohibited” Sanitizers for Export out of India.
- ***Notification No. 54 Dt. 25.03.2020*** Prohibits export of Hydroxychloroquine and Formulations made from Hydroxychloroquine. Also, ***Notification 01 Dt. 04.04.2020*** also Prohibited the export by SEZ, Shipments under Irrevocable LC or for exports where full advance payment was received.
- ***Notification No. 59 Dt. 04.04.2020*** modifies the policy from Free to “Restricted” for Export of “Diagnostic Kits” (Diagnostic or Laboratory reagents on a backing, preparation diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006; certified reference materials.)

Subject: Implementation of the Track and Trace system for export of Pharmaceuticals and drug consignments along with maintaining the Parent-Child relationship in the levels of packaging and their movement in supply chain – Extension of date of implementation regarding.

In exercise of the powers conferred under Paragraph 2.04 of the Foreign Trade Policy, 2015-20, as amended from time to time, the Director General of Foreign Trade hereby amends Para 2.90A of Handbook of Procedure- 2015-20, as notified vide Public Notice No. 43/2015-20 dated 05.12.2017 read with Public Notice No. 52 / 2015-20 dated 05.01.2016, Public Notice No. 05/2015-20 dated 09.05.2018, Public Notice No. 43/2015-2020 dated 01.11.2018 and Public Notice No. 16/2015-2020 dated 04.07.2019 on laying down the procedure for implementation of the Track and Trace system for export consignments of drug formulations.

2. In Para 2.90 A (vi) and (vii) of Handbook of Procedure - 2015-20 (as amended vide Public Notice No. 16/2015-2020 dated 04.07.2019), "01.04.2020" may be substituted by "01.10.2020".

3. **Effect of this Public Notice:**

The date for implementation of Track and Trace system for export of drug formulations with respect to maintaining the Parent-Child relationship in packaging levels and its uploading on Central Portal has been **extended upto 01.10.2020** for both SSI and non SSI manufactured drugs.


30/3/2020
(Amit Yadav)

Director General of Foreign Trade
Ex-officio Additional Secretary, Government of India
E-mail: dgft@nic.in

DGFT :
**Implementation of
Track and Trace
System**
extended upto
01.10.2020

DGFT :

Certificate of Origin - Issuance of REX No:

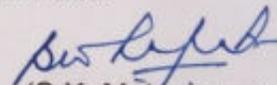
Subject: Acceptance of scanned copies of pre-registration application and other documents by Local Users for REG under the European Union's Generalised System of Preferences (EUGSP)

This trade notice is issued in continuation of this Directorates' Public Notice No.51/(2015-2020) dated 30thDecember, 2016 on the procedure for registration and self certification of goods under the European's Union Generalised System of Preferences (EU GSP).

2. As you are aware, under the EU GSP Self-Certification system, applicant exporters need to fill a Pre-Application form with requisite details to pre-register themselves with the relevant Local Users for REG under the EU GSP REX system. Subsequently, they take a printout and submit the physical copy with relevant documents to the Local Users for REG for obtaining their REX number. In view of the closure of establishments / restrictions on moving out of residences imposed in India due the COVID-19 pandemic, the offices of the Local Users for REG are either closed or working with skeletal staff and hence the applicants are unable to visit to the offices of Local Users to physically submit the Pre-Application Form.

3. It is therefore instructed that until the offices of the Local Users for REG open after normalcy returns, they would accept scanned copies of the Pre-registration application and other relevant documents submitting by the applicant exporters for processing their applications. The REX numbers would also be issued and the scanned copy sent by email to the exporters. Moreover, in case of any deficiency, this would be electronically communicated to the exporter and all additional documents would be accepted on email for correcting this deficiency and issuing the REX number.

This issues with approval of competent authorities.



(S.K. Mohapatra)

Deputy Director General of Foreign Trade
E-mail: mohapatra.sk@nic.in

{Trade Notice No. 61/2019-20 Dt. 02.04.2020}

DGFT :

Electronic filling and Issuance of Preferential COO for India's Exports under various FTAs/PTAs w.e.f. 07th April 2020

- In continuation to the earlier Trade Notice(s) 34/2015-2020 dated 19.09.2019, 41/2019-2020 dated 12.12.2020 and 53/2019-2020 dated 02.03.2020, it is informed that the Online Platform for Preferential Certificate of Origin is being further expanded to take up various other FTAs/PTAs. The platform has been designed as a single-point access for all FTAs/PTAs for all designated Certificate of Origin (CoO) issuing agencies and for all export products, and is accessible at the URL: <https://coo.dgft.gov.in>
- As the exporters are aware, Certificate of Origin for exports from India to Chile under India-Chile PTA, exports to Nepal under SAFTA & SAPTA and exports to Republic of Korea under India-Korea Comprehensive Economic Partnership Agreement (IKCEPA) are already being applied and issued through this online platform

{Trade Notice No. 01/2020-21 Dt.07.04.2020}

DGFT :

Electronic filling and Issuance of Preferential COO for India's Exports under various FTAs/PTAs w.e.f. 07th April 2020

- To further this initiative and facilitation, and in the light of current crisis, the Preferential Certificate of Origin for exports to various other countries under following FTAs/PTAs shall also be applied and issued only from this online platform with effect from 07th April

FTAs/PTAs		Partner Countries
AIFTA	ASEAN-India Free Trade Agreement	Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore , Thailand, Vietnam
IJCEPA	India Japan Comprehensive Economic Partnership Agreement	Japan
SAPTA	SAARC Preferential Trading Agreement	Afghanistan, Bangladesh, Bhutan, Maldives, Pakistan, Sri Lanka. (already Live for Nepal)
SAFTA	South Asian Free Trade Area	Bangladesh, Bhutan, Maldives, Pakistan, Sri Lanka (already Live for Nepal)
APTA	Asia Pacific Trade Agreement	Bangladesh, China, Lao, Republic of Korea, Sri Lanka
ISLFTA	India Sri Lanka Free Trade Agreement	Sri Lanka

{Trade Notice No. 01/2020-21 Dt.07.04.2020}

*Central Board of Customs
& Indirect Taxes (CBIC)*

Customs / GST

CUSTOMS:

Late Filing of Bill of Entry (BOE):

- Late filing of bills of entry attracts late fee in terms of 'Bill of Entry (Forms) Amendment Regulations, 2017' vide Notification No. 27/2017- Cus.(N.T.) dated 31.03.2017 read with second proviso to Section 46(3) of the Customs Act, 1962.

Therefore, keeping in view the exigency due to outbreak of Corona Virus and, in order to facilitate the trade for clearance of the import consignments, it is decided in the public interest that those bills of entry which pertain to IGMs filed on or after 20th March 2020, if filed late for clearance of import consignments, **will not attract any late fee charges** for the time being and till further orders.

{JNCH Public Notice No. 33/2020 Dt. 24.03.2020}

CUSTOMS:

Relaxation of the Requirement to Submit Bonds:

- In light of the unprecedented situation caused due to COVID-19 pandemic, Board has decided to take certain measures for a temporary period in terms of section 143AA of the Customs Act, 1962 with a view to expedite Customs clearance of goods and for maintaining balance between Customs control and facilitation of legitimate trade.
- In this regard, Board has approved relaxation of the requirement to submit bonds prescribed under section 18, section 59 and section 143, and under notifications issued in terms of section 25 of the Customs Act, 1962, subject to compliance of conditions as listed below in this Circular.
- The period of undertaking lieu of Bond has been extended till 15.05.2020.
{Customs Circular No. 17/2020 – Customs Dated 03.04.2020}
{Customs Circular No. 21/2020 – Customs Dated 21.04.2020}

CUSTOMS:

Electronic Communication of PDF based Gatepass and OOC Copy :

In order to mitigate the unprecedented situation due to Covid-19 pandemic, Board has now decided to enable electronic communication of PDF based Final eOoC (electronic Out of Charge) copy of BoE and eGatepass to the importers/Customs Brokers.

This electronic communication would reduce interface between the Customs authorities and the importers/Customs Brokers and also do away with the requirement of taking bulky printouts from the Service Centre or maintenance of voluminous physical dockets in the Customs Houses. The Final eOoC copy of BoE and eGatepass copy will be emailed to the concerned Customs Broker and/or importer, if registered, once the Out of Charge is granted.

The eGatepass copy will be used by the Gate Officer or the Custodian to allow physical exit of the imported goods from the Customs area.

This measure would be made effective from 15th April, 2020.

{Customs Circular No. 19/2020 – Customs Dated 13.04.2020}

CUSTOMS:

Special Refund and Drawback Disposal Drive :

- Continuing with these trade facilitation measures, it has now been decided that all pending Customs refund and drawback claims shall be expeditiously processed in order to provide immediate relief to the business entities, especially MSMEs, in these difficult times.
- It is hereby instructed that starting with immediate effect there shall be a “Special Refund and Drawback Disposal Drive” with the objective of priority processing and disposal of all pending refund and drawback claims. This Special Drive shall be in place till 30.04.2020. It is expected that during this period all refund and drawback claims that are pending as on 07.04.2020 shall be disposed.

{Customs Instruction No. 03/2020 – Customs Dated 09.04.2020}

CUSTOMS:

Exemption of Basic Customs Duty and Health Cess:

S.No	Chapter or Heading or sub-heading or tariff item	Description of goods
(1)	(2)	(3)
1.	9018 or 9019	Artificial respiration or other therapeutic respiration apparatus (Ventilators)
2.	63 or any chapter	Face masks and surgical Masks
3.	62 or any chapter	Personal protection equipment (PPE)
4.	30, 38 or any chapter	Covid-19 testing kits
5.	Any Chapter	Inputs for manufacture of items at S. Nos. 1 to 4 above, subject to the condition that the importer follows the procedure set out in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017.

{Customs Notification No. 20/2020 – Customs Dated 09.04.2020}

CUSTOMS:

Extension of e-Sealing for Warehouse Cargo

Circular- 20/2020-Customs

F. No. 484/03/2015-LC (Vol. II)
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes & Customs)

**{Customs Circular No.
20/2020 – Customs
Dated 21.04.2020}**

North Block, New Delhi
New Delhi, dated the 21st April, 2020

To,

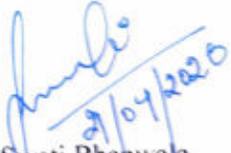
The Principal Chief Commissioners/Chief Commissioners
The Principal Commissioners/Commissioners

Sir/Madam,

Subject:Electronic Sealing-Deposit in and removal of goods from Customs Bonded Warehouses-reg

Representations have been received from e-seal vendors to defer the implementation of Circular-10/2020-Customs dated 07th February, 2020. In view of the same, Board has decided to defer the implementation of Circular-10/2020-Customs till 30th June, 2020.

2. The new date of implementation of the said Circular shall be 01st July, 2020.
3. Difficulties if any may be brought to the notice of the Board.
4. Hindi version follows.


21/04/2020
Dr. Swati Bhanwala
OSD (Land Customs)

GST:

Return Filing:

GSTR-1 : NO LATE FEE:

“Provided also that the amount of late fee payable under section 47 of the said Act shall stand waived for the months of March, 2020, April, 2020 and May, 2020, and for the quarter ending 31st March, 2020, for the registered persons who fail to furnish the details of outward supplies for the said periods in FORM GSTR-1 by the due date, but furnishes the said details in FORM GSTR-1, on or before the 30th day of June, 2020.”

{Notification No. 33/2020-Central Tax Dated 03.04.2020}

GST:

Return Filing:

Sl. No. (1)	Class of registered persons (2)	Rate of interest (3)	Tax period (4)	Condition (5)
1.	Taxpayers having an aggregate turnover of more than rupees 5 crores in the preceding financial year	Nil for first 15 days from the due date, and 9 per cent thereafter	February, 2020, March 2020, April, 2020	If return in FORM GSTR-3B is furnished on or before the 24 th day of June, 2020
2	Taxpayers having an aggregate turnover of more than rupees 1.5 crores and up to rupees five crores in the preceding financial year	Nil	February, 2020, March, 2020	If return in FORM GSTR-3B is furnished on or before the 29 th day of June, 2020
			April, 2020	If return in FORM GSTR-3B is furnished on or before the 30 th day of June, 2020
3.	Taxpayers having an aggregate turnover of up to rupees 1.5 crores in the preceding financial year	Nil	February, 2020	If return in FORM GSTR-3B is furnished on or before the 30 th day of June, 2020
			March, 2020	If return in FORM GSTR-3B is furnished on or before the 3 rd day of July, 2020
			April, 2020	If return in FORM GSTR-3B is furnished on or before the 6 th day of July, 2020.”.

**GSTR-3B : NO LATE
FEE/NO PENALTY
/REDUCE INTEREST:**

{Notification No. 31/2020-Central Tax Dated 03.04.2020}

GST:

LUT for Zero Rated Supply:

Notification No. 37/2017-Central Tax, dated 04.10.2017, requires LUT to be furnished for a financial year. However, in terms of notification No. 35/2020 Central Tax dated 03.04.2020, where the requirement under the GST Law for furnishing of any report, document, return, statement or such other record falls during between the period from 20.03.2020 to 29.06.2020, **has been extended till 30.06.2020.**

In terms of Notification No. 35/2020-Central Tax, time limit for filing of LUT for the year 2020-21 shall stand extended to 30.06.2020 and the taxpayer can continue to make the supply without payment of tax under LUT provided that the FORM GST RFD-11 for 2020-21 is furnished on or before 30.06.2020.

Taxpayers may quote the reference no of the LUT for the year 2019-20 in the relevant documents.

GST:

Alternate Mechanism for SB005:

There are still numerous Shipping Bills having invoice mismatches between the GST returns data and the customs data presented along with the Shipping Bills resulting in SB005 error. This results in blocking of the IGST refund disbursement, which is otherwise fully automated, except for the refund scroll generation

The matter has been re-examined. Considering that the entire country is facing unprecedented challenges due to the COVID 19 pandemic , and that the exporters are facing genuine hardships due to the SB005 errors, it has now been decided to extend the facility of SB005 error correction in the Customs EDI system for **Shipping Bills with date upto 31.12.2019**

{Customs Circular No. 22/2020 – Customs Dated 21.04.2020}

GST:

Refund Related:

Change in Rule 89 (4) (c):

In the said rules, in rule 89, in sub-rule (4), for clause (C), the following clause shall be substituted, namely:- „(C) “Turnover of zero-rated supply of goods” means the value of zero-rated supply of goods made during the relevant period without payment of tax under bond or letter of undertaking or the value which is 1.5 times the value of like goods domestically supplied by the same or, similarly placed, supplier, as declared by the supplier, whichever is less, other than the turnover of supplies in respect of which refund is claimed under sub-rules (4A) or (4B) or both;”

{Notification No. 16/2020-Central Tax Dated 23.03.2020}

GST: Refund Related:

A New Rule 96B is to be inserted in CGST Rules:

“96B. Recovery of refund of un utilised input tax credit or integrated tax paid on export of goods where export proceeds not realised. –

(1) Where any refund of un utilised input tax credit on account of export of goods or of integrated tax paid on export of goods has been paid to an applicant but the sale proceeds in respect of such export goods have not been realised, in full or in part, in India within the period allowed under the Foreign Exchange Management Act, 1999 (42 of 1999), including any extension of such period, the person to whom the refund has been made shall deposit the amount so refunded, to the extent of non realisation of sale proceeds, along with applicable interest within thirty days of the expiry of the said period or, as the case may be, the extended period, failing which the amount Provided that where sale proceeds, or any part thereof, in respect of such export goods are not realised by the applicant within the period allowed under the Foreign Exchange Management Act, 1999 (42 of 1999), but the Reserve Bank of India writes off the requirement of realisation of sale proceeds on merits, the refund paid to the applicant shall not be recovered.

{Notification No. 16/2020-Central Tax Dated 23.03.2020}

GST:

Refund Related:

A New Rule 96B is to be inserted in CGST Rules:

“96B. Recovery of refund of un utilized input tax credit or integrated tax paid on export of goods where export proceeds not realised. –

(2) Where the sale proceeds are realised by the applicant, in full or part, after the amount of refund has been recovered from him under sub-rule (1) and the applicant produces evidence about such realisation within a period of three months from the date of realisation of sale proceeds, the amount so recovered shall be refunded by the proper officer, to the applicant to the extent of realisation of sale proceeds, provided the sale proceeds have been realised within such extended period as permitted by the Reserve Bank of India.”

{Notification No. 16/2020-Central Tax Dated 23.03.2020}

GST:

Refund Related:

Bunching of refund Claims across Financial Year:

Issue: The applicant, at his option, may file a refund claim for a Tax period or by clubbing successive tax periods. The period for which refund claim has been filed, however, cannot spread across different financial years.

Hon'ble Delhi High Court vide para 12 of the aforesaid Order has observed that the Circulars can supplant but not supplement the law.

On perusal of the provisions under sub-section (3) of section 16 of the Integrated Goods and Services Tax Act, 2017 and sub-section (3) of section 54 of the CGST Act, there appears no bar in claiming refund by clubbing different months across successive Financial Years.

The issue has been examined and it has been decided to remove the restriction on clubbing of tax periods across Financial Years. Accordingly, circular No. 125/44/2019-GST dated 18.11.2019 stands modified to that extent i.e. the restriction on bunching of refund claims across financial years shall not apply.

{GST Circular No. 135/05/2020- GST Dated 31.03.2020}

GST:

Refund Related:

New Requirement to mention HSN/SAC in Annexure 'B'

References have also been received from the field formations that HSN wise details of goods and services are not available in FORM GSTR-2A and therefore it becomes very difficult to distinguish ITC on capital goods and/or input services out of total ITC for a relevant tax period. It has been recommended that a column relating to HSN/SAC Code should be added in the statement of invoices relating to inward supply as provided in Annexure–B of the circular No. 125/44/2019- GST dated 18.11.2019 so as to easily identify between the supplies of goods and services.

The issue has been examined and considering that such a distinction is important in view of the provisions relating to refund where refund of credit on Capital goods and/or services is not permissible in certain cases, it has been decided to amend the said statement. Accordingly, Annexure-B of the circular No. 125/44/2019-GST, dated 18.11.2019 stands modified to that extent.

{GST Circular No. 135/05/2020- GST Dated 31.03.2020}

***Directorate General
of Shipping
(DG Shipping)***

DG Shipping:

Non Charging of Container Detention Charges:

DG Shipping vide its order No. 07 of 2020 Dated 29.03.2020 in the current situation of COVID-19 Pandemic with suspended operations and difficulty in filling of papers, and movement of transport of goods/cargo which is resulting in detention of Containers without their fault.

Therefore, In order to maintain proper Supply lines at the Indian Seaports the shipping lines are advised not to impose any container detention charge on import and export shipments for period from 22nd March 2020 to ~~14th April 2020~~ (Both days inclusive) **3rd may 2020** **(both days inclusive)** over and above free time arrangement that is currently agreed and availed as part of any negotiated contractual terms.

During this period the shipping lines are also advised not to impose any new or additional charge .

{DG Shipping Order No. 07 of 2020 Dt. 29.03.2020}

{DG Shipping Order No. 11 of 2020 Dt. 22.04..2020}

DG Shipping:

Non Charging of Any demurrage, Ground Rent, beyond the allowed free period:

DG Shipping vide its order No. 08 of 2020 Dated 31.03.2020 in the current situation of COVID-19 Pandemic with suspended operations and difficulty in filling of papers, and movement of transport of goods/cargo which is resulting in detention of Containers without their fault.

Now therefore, in order to maintain proper supply chain at the Indian seaport, shipping companies or Carriers (and their agents by whatever name called) are advised not to charge, levy or recover any demurrage, ground rent beyond allowed free period storage charge in the port, additional anchorage charge, berth hire charge or vessel demurrage or any performance related penalties on cargo owners/consignees of non-containerized cargo (i.e. bulk, brake bulk and liquids cargo) whether LCL or not for the period from ~~22 March, 2020 to 14 April, 2020~~ (both days inclusive), **from 15 April 2020 to 3rd May, 2020 (both days inclusive)**, due to delay in berthing, loading/unloading operations or evacuation/arrival of cargo.

During this period the shipping Companies, or Carriers (and their agents) are also advised not to impose any new or additional charge .

{DG Shipping Order No. 07 of 2020 Dt. 29.03.2020}

{DG Shipping Order No. 011 of 2020 Dt. 22.04.2020}

Reserve Bank of India *(RBI)*

RBI:

Time Limit Export Remittance:

The Government of India as well as the Reserve Bank has been receiving representations from Exporters Trade bodies to extend the period of realisation of export proceeds in view of the outbreak of pandemic COVID- 19. It has, therefore, been decided, in consultation with Government of India, to increase the present period of realization and repatriation to India of the amount representing the full export value of goods or software or services exported, from nine months to **fifteen months** from the date of export, for the **exports made up to or on July 31, 2020.**

{RBI/2019-20/206 A. P. (DIR Series) Circular No. 27 Date: 01.04.2020}

ECGC

ECGC:

Relaxations in time line for compliance under ECGC scheme due to COVID 19

For Exporters:

1. ECGC has extended time limit up to 31.5.2020 for all returns, extension requests, default notification, etc to Policyholders.
2. Time for filing claim, reply to claim queries, representations is extended up to June 2020.
3. Specific Shipment Policy expiring in March 2020 is extended automatically up to June 2020.

{ECGC Website and Email Communication to Policy Holders}



Stay at **Home**, Stay Safe

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