



आयुक्त, सीमा शुल्क का कार्यालय, कांडला  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
न्यू कस्टम हाउस, कांडला  
NEW CUSTOM HOUSE, KANDLA-370 210  
Phone No:02836-271468/469, Fax No.02836-271467

F. No. S/20-07/AG/GST/17-18

Dated: 27/07/2017

**PUBLIC NOTICE No. 39/2017**


**Subject:** Drawback of Integrated Tax and Compensation Cess paid on imported goods upon re-export under Section 74 of the Customs Act, 1962.

Attention of the Trade is invited to Board's Circular No. 21/2017- Customs issued vide F. No. 609/54/2017-DBK dated 30.06.2017.

2. As you are aware, Section 74 of the Customs Act, 1962 provides for drawback of duties paid at time of importation when the imported goods are re-exported. Hitherto this drawback inter alia comprised refund of basic customs duty and additional duties under Section 3 of the Customs Tariff Act (CTA), 1975. In this regard, Re-export of Imported Goods (Drawback of Customs Duties) Rules, 1995 refer.
3. Under the GST regime, goods upon import shall be subject to integrated tax and compensation cess in terms of Sections 3(7) and 3(9) respectively of the CTA, 1975. Further, in terms of Section 3(12) of the CTA, 1975, the provisions of the Customs Act, 1962 and rules and regulations made thereunder relating inter alia to drawback shall apply to integrated tax and compensation cess also. Accordingly, drawback under Section 74 would include refund of integrated tax and compensation cess along with basic customs duty, etc.
4. In this regard, the definition of "drawback" under Rule 2 (a) of the Re-export Rules, 1995 has been suitably amended to include refund of duty or tax or cess as referred in the CTA, 1975. Notification No. 57/2017-Customs (N.T.) dated 29.6.2017 may be referred in this regard.
5. In order to prevent dual benefit while sanctioning drawback under Section 74 of the Customs Act, 1962, it may be ensured that a certificate duly signed by the Central/State/UT GST officer, having jurisdiction over the exporter is obtained, that no credit of integrated tax /compensation cess paid on imported goods has been availed or no refund of such credit or integrated tax paid on re-exported goods has

been claimed. All other extant instructions in respect of drawback claims under Section 74 remain unchanged.

6. Difficulties faced, if any, may be brought to the notice of the undersigned.

  
(P. V. R. Reddy),  
Principle Commissioner,  
Custom House, Kandla

Copy to:-

01. The Chief Commissioner of Customs, Gujarat Zone, Ahmedabad.
02. All Additional Commissioners of Customs, CH Kandla.
03. All Deputy/ Assistant Commissioner of Customs, CH Kandla.
04. The President, Kandla Custom House Agents' Association, Gandhidham Chamber Of Commerce & Industry Building, Plot No.71, Sector No.8, 2Nd Floor, Room No.7, Gandhidham.
05. The President, Kandla Port Steamship Agents Association, No. 5, Chambers Bhawan, 2nd Floor, Sector 8, Plot No.71, Gandhidham.
06. The Gandhidham Chamber of Commerce & Industries, Plot No.71, Sector No.8, 2Nd Floor, Gandhidham.
07. The Chairman, KPT, Business Development Cell, P.O. Box 50, Administrative Building, Gandhidham.
08. The President, Kandla Timber association, "Timber Bhavan" Plot No. - 47, Sector-8, Gandhidham
09. The President, Kandla Liquid Tank Terminal Association, Maitri Bhavan, Opp. Post Office, Plot No. 18, Sector- I, Gandhidham.
10. The EDI Section, for uploading on Commissionerate's Website.
11. Notice Board.