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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 1/2020 – Central Excise

New Delhi, the 14th February, 2020

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944) (hereinafter referred to as the said Act), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts the goods specified in the Fourth Schedule to the said Act, when cleared against a duty credit scrip (hereinafter referred to as the said scrip) issued by the Regional Authority under the Scheme for Rebate of State and Central Taxes and Levies on Export of Garments and Made-ups (hereinafter referred to as the said RoSCTL scheme) in accordance with paragraph 4.01 (c) read with paragraphs 4.95 and 4.96 of the Foreign Trade Policy from the whole of the duty of excise leviable thereon under the Fourth Schedule to the said Act:

Provided that the said scrip, against which goods specified in the Fourth Schedule to the said Act when cleared are exempted from the whole of duty of excise leviable thereon under the Fourth Schedule to the said Central Excise Act, may include duty credit provided under the Additional Ad Hoc Incentive in terms of paragraphs 4.95 and 4.96 of the Handbook of Procedures.

2. The exemption shall be subject to the following conditions, namely:-

(1) that the conditions (1) to (3) specified in paragraph 2 of the notification of Government of India, Ministry of Finance, Department of Revenue, No. 13/2020-Customs, dated 14th February, 2020 are complied and the said scrip has been registered with the Customs Authority at the port of registration specified on the said scrip (hereinafter referred as the said Customs Authority);

(2) that the holder of the scrip, who may either be the person to whom the scrip was originally issued or a transferee-holder, presents the said scrip to the said Customs Authority along with a letter or proforma invoice from the supplier or manufacturer indicating details of its jurisdictional Central Excise Officer (hereinafter referred as the said Officer) and the description, quantity, value of the goods to be cleared and the duties leviable thereon, but for this exemption;

(3) that the said Customs Authority, after taking into account the debits already made towards imports under the aforesaid notification No. 13/2020-Customs, dated 14th February, 2020, and this exemption, shall debit the duties leviable, but for this exemption in or on the reverse of the said scrip and shall mention the necessary details thereon, update its own records and send written advice of these actions to the said Officer;

(4) that at the time of clearance, the holder of the scrip presents the said scrip debited by the said Customs Authority to the said Officer along with an undertaking addressed to the said Officer

that in case of any amount short debited in the said scrip, he shall pay on demand an amount equal to the short debit, along with applicable interest;

(5) that based on the said written advice and undertaking, the said Officer endorses the clearance particulars and validates, on the reverse of the said scrip, the details of the duties leviable, but for this exemption, which were debited by the said Customs Authority, and keeps a record of such clearances;

(6) that the manufacturer retains a copy of the said scrip, debited by the said Customs Authority and endorsed by the said Officer and duly attested by the holder of the scrip, in support of the clearance under this notification; and

(7) that the said holder of the scrip, to whom the goods were cleared, shall be entitled to avail drawback or CENVAT credit of the duties of excise leviable under the Fourth Schedule to the said Act, against the amount debited in the said scrip and validated at the time of clearance.

3. Notwithstanding anything contained in paragraph 2, in respect of the said scrip issued on or after the 10th April, 2019 electronically without a physical copy for a port of registration enabled on the customs automated system, the exemption shall be subject to the following conditions, namely:-

(1) that the conditions (1) to (3) specified in paragraph 2 of the notification of Government of India, Ministry of Finance, Department of Revenue, No. 13/2020-Customs, dated 14th February, 2020 are complied and the said scrip has been registered with the Customs Authority at the port of registration specified on the said scrip (hereinafter referred as the said Customs Authority);

(2) that the holder of the scrip, who may either be the person to whom the scrip was originally issued or a transferee-holder, presents details of the said scrip to the said Customs Authority along with a letter or proforma invoice from the supplier or manufacturer indicating details of its jurisdictional Central Excise Officer (hereinafter referred as the said Officer) and the description, quantity, value of the goods to be cleared and the duties leviable thereon, but for this exemption;

(3) that the said Customs Authority, taking into account the debits already made towards imports under the aforesaid notification No. 13/2020-Customs, dated the 14th January, 2020, and this exemption, shall debit the duties leviable, but for this exemption electronically in the customs automated system and send written advice of these actions to the said Officer;

(4) that at the time of clearance, the holder of the scrip submits an undertaking addressed to the said Officer that in case of any amount short debited in the said scrip he shall pay on demand an amount equal to the short debit, along with applicable interest;

(5) that based on the said written advice received from the said Customs Authority and the said undertaking, the said Officer endorses the clearance particulars and validates, on the face of the said written advice, the details of the duties leviable, but for this exemption, which were debited by the said Customs Authority, and keeps a record of such clearances;

(6) that the said Officer shall give a duly attested copies of the said endorsed written advice to the scrip holder and the manufacturer, who retains it in support of the clearance under this notification;

(7) that the said holder of the scrip, to whom the goods were cleared, shall be entitled to avail drawback or CENVAT credit of the duties of excise leviable under the Fourth Schedule to the said Act, against the amount debited in the said scrip and validated at the time of clearance.

Explanation. – For the purposes of this notification -

- (a) "Foreign Trade Policy" means the Foreign Trade Policy, 2015-2020, published by the Government of India in the Ministry of Commerce and Industry vide notification number 01/2015-2020, dated the 1st April 2015 as amended from time to time;
- (b) "Garments and Made-ups" shall have the same meaning assigned to them in the Ministry of Textiles' notification No. 14/26/2016-IT (Vol. II), dated the 7th March 2019 notifying the Scheme for Rebate of State and Central Taxes and Levies on Export of Garments and Made-ups.
- (c) "Regional Authority" means the Director General of Foreign Trade appointed under section 6 of the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) or an officer authorised by him to grant an authorisation including a duty credit scrip under that Act.

[F. No. 605/04/2020-DBK]

(Gopal Krishna Jha)
Director (Drawback)