

### CUSTOMS

#### Clarification on re-credit of duty on re-export of goods imported under reward schemes and DEPB

For the goods imported under DEPB, SFIS/VKGUY, TPS / DFCE / FMS / FPS / HTPEPS/SHIS/ Agri Infrastructure Incentive scheme under VKGUY respectively, re-export is permitted if such imported goods are found defective or unfit for use subject to the fulfillment of certain conditions and provided necessary permission for such re-export is given by the Commissioner of Customs concerned.

On receipt of representations from trade & industry for the goods imported under situations, where such re-export takes place, for reasons other than the goods having been found to be defective/unfit goods, a *Public Notice No. 22/2009-14 (RE 2010) dated 14.01.2011* was issued by DGFT wherein re-export of imported goods subject to re-assessment of debited duty and re-export on account of any other reason was allowed. Further, the procedure for issuance of fresh scrip by concerned Regional Authority (RA) of DGFT was also replaced with re-credit certificate issued by the Customs.

In view of the above said amendments by DGFT, it is now clarified that in respect of reward schemes specified under FTP and DEPB scheme, re-export of imported goods, which are found to be defective /unfit and/ or for re-export on account of any other reason, may be permitted by the Commissioner of Customs, subject to fulfillment of the following conditions:

- i. re-export of goods shall take place from the same port from where the goods were imported;
- ii. the goods are re-exported within 6 months from the date of import;
- iii. the Asstt. /Dy. Commissioner of Customs is satisfied about the identity of the goods;
- iv. the goods are not put into use after import;
- v. at the time of allowing the re-export, Customs shall issue a re-credit Certificate containing particulars of scrip used, date of import of re-exported goods and amount debited while importing such goods. There shall be no need for issue of fresh scrip in such cases by DGFT regional offices;

- vi. customs shall permit use of the said re-credit amount to the extent of 98% only;
- vii. the validity of re-credit certificate shall be for six months from the date of issuance of re-credit certificate; and
- viii. the remittances have to be properly accounted for as per the prevalent guidelines for the import and the export of the goods.

The above clarification will be effective from the date of issue of *Public notice No. 22/2009-14 (RE 2010)* i.e. w.e.f. 14.01.2011.

*[Circular No. 45/2011 –Cus. dated 13.10.2011]*

Source: [www.cbec.gov.in](http://www.cbec.gov.in)

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