

### CUSTOMS

#### Refund of 4% CVD under Notification No. 102/2007-Cus dated 14.09.2001 - Cost Accountant authorize to issue the Certificate for the purpose of refund

*Circular No. 18/2010-Cus dated 08.07.2010* provides a simplified procedure for sanction of refund of 4% SAD in case of ACP importers. Para 4.1 (d) of the Circular provides that the amount of 4% CVD refund shall be sanctioned in full, on preliminary scrutiny of the documents and certificate of statutory auditor/Chartered Accountant, for correlating the payment of ST/VAT on the imported goods with the invoices of sale and also to the effect that the burden of 4% CVD has not been passed on by the importer to the buyer. However, as per Para 6 of the said Circular only Chartered Accountant can issue a certificate that incidence of burden of 4% CVD has not been passed on by the importer to the buyer.

The *Circular* disentitles the Cost Accountants in regard to issue of requisite certificate though they may be statutory auditors of the importer. Several States currently recognize Cost Accountants for purpose of VAT audit and it would be a hardship to trade already using statutory auditors/Cost Accountants to get the required certificate from Chartered Accountants. Therefore, as a measure to facilitate the trade, CBEC has amended *Circular No.18/2010 Cus dated 08.07.2010* so as to authorize Statutory Auditors/ Cost Accountants/ Chartered Accountants to issue a certificate, certifying that burden of 4% CVD has not been passed on by the importers to any other person.

[*Circular No. 01/ 2012-Cus. dated 05.01.2012*]

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

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Secretary

Indirect Taxes Committee

The Institute of Chartered Accountants of India

ICAI Bhawan A-29, Sector -62, NOIDA (U.P.)India