

केन्द्रीय उत्पाद तथा सीमा शुल्क के आयुक्त का कार्यालय
केन्द्रीय राजस्व भवन, गडकरी चौक, नाशिक- 422 002.

ट्रेड नोटिस नं. 28/2003

विषय :- Fixation of brand rate of duty drawback by the Central Excise field formations under Rules 6 and 7 of the Customs and Central Excise Duties Drawback Rules, 1995 - Removal of difficulties regarding.

उपरोक्त विषय पर भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली द्वारा दिनांक 14.11.2003 की फा.सं. 603/32/2003-DBK तहत जारी परिपत्र संख्या 97/2003-Customs की प्रतिलिपी सुचना मार्गदर्शन एवं कार्यवाही के लिए प्राप्त करें।

सभी संबंधित संगठनों से अनुरोध है कि वे परिपत्र/पत्र की जानकारी अपने सभी सदस्य, निर्माताओं और व्यापारियों को दें।

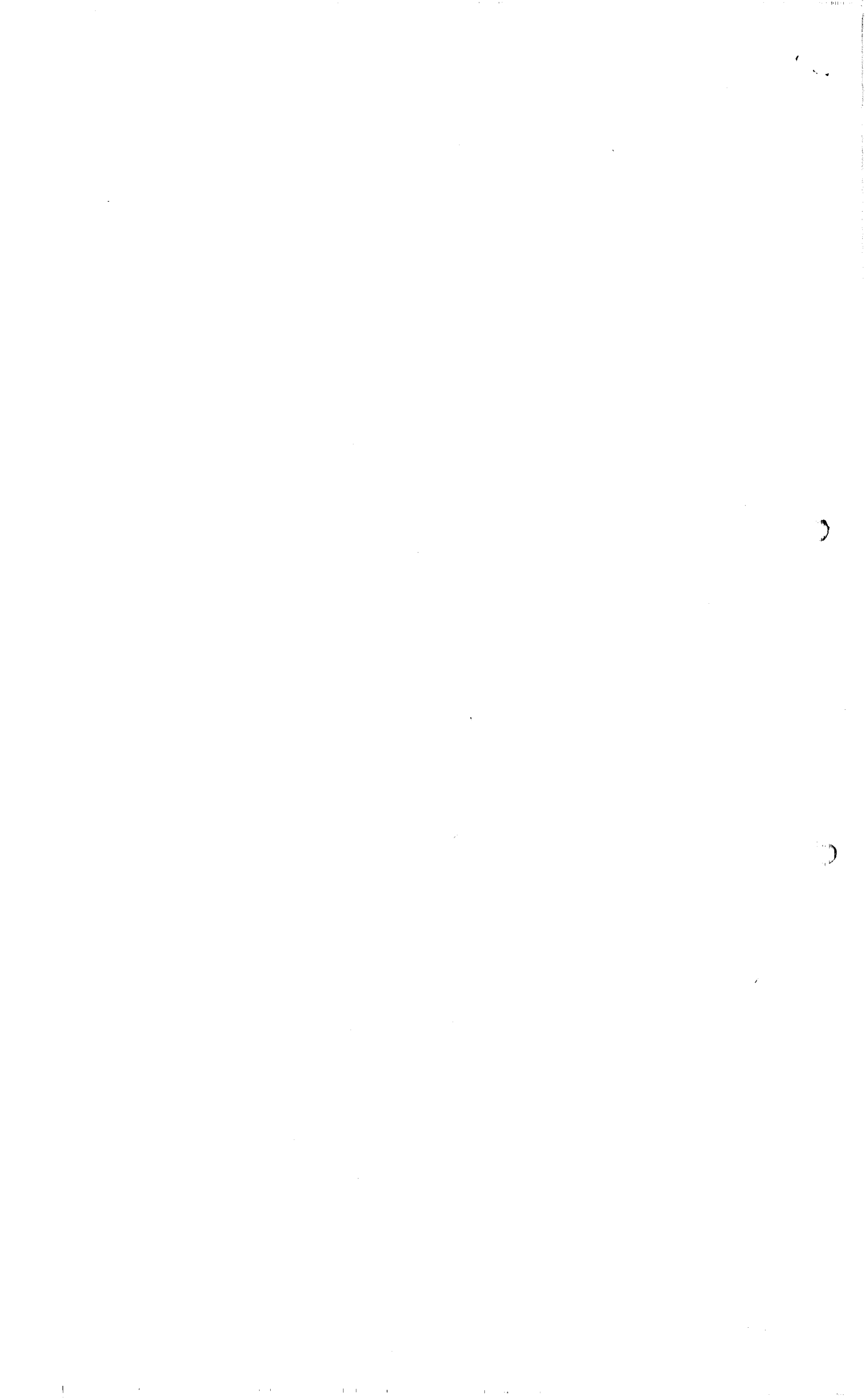
31257
(अरुण टंडन)
आयुक्त

फा.सं.व्ही(जीएन)(27) 44 /2003 /)

नासिक, दिनांक 22.12.03
12105

संलग्न :- यथोपरी

- प्रतिलिपि प्रेषित :- डाक सूची के अनुसार
- :- सभी मंडल प्रभारी, उप/सहायक आयुक्त
 - :- सभी अनुभाग प्रमुख मुख्यालय
 - :- मुख्य आयुक्त, केन्द्रीय उत्पाद तथा सीमा शुल्क, नागपुर
 - :- अप्पर/संयुक्त आयुक्त, केन्द्रीय उत्पाद तथा सीमा शुल्क, नासिक



F.No.603/32 /2003-DBK
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

New Delhi, the 14th November, 2003.

To,

- All Chief Commissioners of Customs & Central Excise.
- All Commissioners of Customs,
- All Commissioners of Customs (Prev.),
- All Commissioners of Customs & Central Excise,
- D.G., DRI, Delhi,
- D.G. Export promotion,
- D.G. Systems and Data Management,
- D.G., NACEN.

Sir,

Sub: Fixation of brand rate of duty drawback by the Central Excise field formations under Rules 6 and 7 of the Customs and Central Excise Duties Drawback Rules, 1995 - Removal of difficulties - regarding.

Attention is invited to the Customs Circular No.83/2003 dated 18th September, 2003 whereby detailed instructions along with illustrations had been given for computing duty drawback by the Central Excise field formations under rule 6 and rule 7 of the Customs and Central Excise Duties Drawback Rules, 1995.

2. The field formations as well as trade have expressed certain difficulties in implementation of para 3(a)(i) of the said Circular. Through this paragraph, the Board had prescribed that while fixing the brand rate of drawback for leather goods including shoes, shoe uppers, etc., the element of duty drawback on finished/lining leather has to be provided at the All Industry Rate available for finished/lining leather. Since the drawback rate for these products are on ad valorem basis with duty drawback caps, it was prescribed that the element of drawback on these inputs be computed on the procurement price of these inputs as evidenced by local procurement invoices.

*How final rule
is to be
done
12/11/03
D. J. K.*

803

*SCD
AP circulated
all Divs &
Subs
T. N. S. S.
be ready*

*h
1/11/03*

3. It has been represented that this procedure is difficult to be applied where -

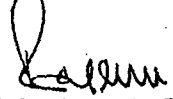
- (a) only raw hides or wet blue leather, i.e., unfinished leather is procured from the market and the same undergoes the process of finishing in the manufacturer exporter's own factory, or
- (b) where the unfinished leather (wet blue leather) or hides are procured by the manufacturer exporter but the finishing process on the same is carried out by the job workers who subsequently supply the finished leather to the manufacturer exporter.

4. The issue has been examined. It is clarified that in such cases, the exporters may be asked to furnish the purchase invoice as to the procurement of the raw hides/wet blue leather. They should also furnish a certificate from the Chartered Accountant/Cost Accountant as to the consumption and cost of processing chemicals used for its processing and other incidental overhead charges incurred. The purchase price of raw hides/wet blue leather along with these processing costs and charges should be reckoned for the purposes of computing duty drawback element on the finished/lining leather by applying the All Industry Rates of Duty Drawback.

5. **Suitable public notices for information of the trade and standing orders for guidance of the staff may kindly be issued accordingly.**

6. The receipt of this Circular may kindly be acknowledged.

Yours faithfully,


(S.S. Renjhen)

Joint Secretary to the Government of India