

DGFT issues a Trade Notice advising applicants for MEIS scrips to check their shipping bills on ICEGATE and DGFT website beforehand.

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It is quite a common complaint of exporters filing applications for MEIS scrips that their shipping bills are not there on the DGFT website. Because of this the applications can not be filed.

DGFT has issued a Trade Notice No.23/18 dt.06.02.2018 stating there in that it takes considerable time to get the shipping bill data in DGFT system as the S.B. date is transmitted from custom port offices to ICEGATE server and subsequently to DGFT server. If the S.B. data is not available on ICEGATE or DGFT, the issue should be reported to the concerned authorities as detailed in the Trade Notice (Copy reproduced below):

Copy of Trade Notice No.23/18; dated 06 .02.2018

Subject: Advice to exporters to promptly check Shipping Bill transmission status on ICEGATE and DGFT websites

It has come to notice of this Directorate that when exporters login into DGFT System for MEIS application, sometimes Shipping Bill data is not found available in DGFT System. It takes considerable time to get the SB data available in DGFT System and, therefore, availing of FTP benefits, like MEIS, by exporter is delayed.

The Shipping Bill data is transmitted from Customs Port Offices to ICEGATE server and subsequently to DGFT server. To overcome this issue, it is advised to exporters to check the Shipping Bill transmission status first on ICEGATE and then on DGFT website after 72 hours from integration of SB with ICEGATE. If the SB data is not available on ICEGATE or DGFT, the issue should be reported to the concerned authorities. The issue can be registered with DGFT in the Contact@DGFT service available on DGFT website and the issue details can be shared with DGFT EDI helpdesk by sending an e-mail at dgftedi@nic.in quoting the Contact@DGFT reference number.

The transmission status of a SB can be checked on ICEGATE website (<https://www.icegate.gov.in/>) under `Services->Public Enquiry-> DGFT Shipping Bill Integration Status' option and the same can be checked at DGFT website (<http://dgft.gov.in/>) under 'User Facilitation-> Shipping Bills Received from Customs' for an IEC option.

DGFT issues Public Notice amending once again the provision of change of address of Head Office/Registered Office in Handbook of Procedure (Vol. 1) of 2015-20.

DGFT had issued a Public Notice No. 43/2015-20 dt. 05.12.2017 changing the provision of change of address of Head Office/Registered Office/Branch Office in the IEC.

Now it has issued a Public Notice No. 58/2015-20 dt. 05.02.2018 changing once again the provision of change of address of Head Office/Registered Office in the IEC.

As per the Public Notice dt. 05.02.2018 referred to above, the IEC holder has to apply to the new licencing authority for amendment in IEC in place of earlier licencing authority.

Copy of the Public Notice 05.02.2018 referred to above is reproduced below:

Copy of Trade Notice No.23/18; dated 06 .02.2018

Subject: **Amendment in Chapter 2 of the Handbook of Procedure (2015-20)**

In exercise of powers conferred under paragraph 2.04 of the Foreign Trade Policy, 2015-2020, the Director General of Foreign Trade hereby amends the revised provision as at para 2.14 (A) of the Handbook of Procedure (2015-20)] of the Public Notice No.43 /2015-2020 dated 05.12.2017 as under:

Provision

2.14 (A) When an IEC holder seeks modification/ change of Head Office/Registered Office address in its IEC and which involves a shift in its jurisdictional RA, a request to that effect will have to be made to the new RA concerned under whose jurisdiction the applicant exists.

On the basis of this request, the RA (Custodian of the IEC file till now) will process such requests and amend IEC. file to the new RA (the new custodian) which shall make appropriate amendment based on the transferred file and fresh documents submitted to it by the applicant. The new RA shall allow the person in its new address to carry out necessary functions and also apply for eligible benefits as per FTP.

Revised Provision

When an IEC holder seeks modification/ change of Head Office/ Registered Office address in its IEC and which involves a shift in its jurisdictional RA, a request to that effect will have to be made to the new RA, to whose jurisdiction the applicant is shifting its office.

The new RA shall make appropriate amendments, based on documents submitted to it by the applicant. The new RA will also separately inform the RA, who had initially issued the IEC, of the changes made in the concerned IEC. Thereafter, the new RA shall allow the applicant to carry out necessary functions and also apply for eligible benefits as per FTP through its office.

2. Effect of this Public Notice: Amendment in procedure for seeking modification in IEC is notified.

Question : Can a merchant having duty paying documents claim Cenvat credit on the stock held on the appointed date, 'i.e. July 1, 2017?

Answer : Yes, a merchant having duty paying documents can claim Cenvat credit as per section 140 (3) of the CGST Act, 2017 subject to fulfillment of following conditions:

- a) Such inputs are used or intended to be used for making taxable supplies;
- b) The said taxable person is eligible for input tax credit on such inputs;
- c) The said taxable person is in possession of invoice and/or other prescribed documents evidencing payment of duty under the earlier law;
- d) Such invoices and /or other pre-scribed documents were issued not earlier than twelve months immediately preceding the appointed day;
- e) The supplier of services is not eligible for any abatement.

Question : Would GST be payable on goods not intended to be sold, taken out for participation in overseas exhibitions and trade fairs and brought back into India as these goods are meant for exhibition only?

Answer : GST is not payable in such cases. Exporters will need exhibition participation letter and SDF/GR waiver letter from the concerned bank for the purpose of exchange control requirements. At the time of re-import, identity of goods imported with export goods needs to be established to seek exemption from import duty in accordance with Customs provisions. IGST will be exempted at the time of re-import in view of ex-emptions granted under Customs.

Question : Why IGST amount on imports of goods cannot be paid from ITC credit?

Answer : Since IGST on imports is charged on Reverse Charge Mechanism (RCM) and all RCM taxes have to be paid in cash, IGST on imports of goods cannot be paid from ITC. However, the IGST amount paid in cash on imports is available as ITC to importer which can be utilized by him for settling his further liabilities. However, the SGST liabilities can be settled only in respect of the state where the importer is located. Thus, if importer is located in UP, he can only discharge his SGST liabilities in respect of UP and not in respect of other states.

Question : We are a Merchant Exporter. Can we take a supply from a manufacturer for exports at 0.1% and export it without availing LUT facility, paying the applicable IGST rate of 18%?

Answer : There is no bar for exports goods procured by merchant ex-ports at 0.1% for final exports at applicable IGST rate. However, CBEC has issued Notification No 3/2018 dated January 23, 2018, depriving the facility of exports on payment of IGST if goods were procured by merchant exporter at 0.1%. Therefore, in such cases, exports shall take place on LUT/Bond. Unfortunately, the above provision has been incorporated with retrospective effect, i.e. from October 23, 2017. Many ex-ports have already exported on payment of IGST.

Question : What are the basic requirements for generating an e-way bill?

Answer : To generate the e-way bill it is essential that the person is registered. If the transporter is not a registered person it is mandatory to get enrolled on the common portal of e-waybill before generation of the e-way bill. The documents such as tax invoice or bill of sale or delivery challan, identification of person who is transporting the goods along with document number or the vehicle number in which the goods are transported are required.