

F.No. 609/106/2016-DBK
Government of India
Ministry of Finance, Department of Revenue
Central Board of Excise and Customs
Drawback Division

New Delhi, dated 20th March 2017

To
All Pr. Chief Commissioners / Pr. Directors Generals of CBEC
All Chief Commissioners / Directors General of CBEC
All Pr. Commissioners / Commissioners of CBEC
Director General of Systems & Data Management
Principal Chief Controller of Accounts, CBEC

Madam/Sir,

Subject: Rebate of State Levies (RoSL) on Export of made-up articles – Implementation by CBEC – reg.

The Government of India has decided to extend the RoSL on garment exports to exports of made-up articles covered under Chapter 63 of the AIR Drawback schedule. It is provided based on a budgetary allocation of the Ministry of Textiles under a scheme in which the Department of Revenue/Central Board of Excise and Customs (CBEC) handles disbursement along with the extant Duty Drawback. This is exactly on lines of ROSL for garments, details of which are available in Circular no. 43/2016-Cus dated 31.08.2016

2. In pursuance of this decision, the Central Government (Ministry of Textiles) has issued Notification No. 12015/47/2016-IT dated 03.01.2017 for the Scheme for ROSL on export of made-up articles. Further, based on the recommendations of the Drawback Committee constituted by the Central Government (Ministry of Finance, Department of Revenue, CBEC), the Central Government (Ministry of Textiles) has issued Notification No.12015/47/2016-IT dated 15.03.2017 notifying the rates of rebate in Schedule 3. These notifications should be downloaded from egazette.gov.in and perused. This Circular provides the guideline framework for implementation of this scheme.

3. The ROSL scheme is meant for exports of made-up articles that are defined in the scheme as goods falling under Chapters 63 of the Schedule of All Industry Rates of Drawback excluding tariff items 6308, 6309 and 6310 and goods in tariff item 9404 that are excluded from drawback tariff item 6304. It is applicable to exports with Let Export Order dates from 23.03.2017 onwards. Though applicability is for three years, nonetheless based on changes in underlying conditions, the Central Government can adjust the rates of rebate.

4. The rates of rebate notified are accompanied by rebate caps in Rupees/Unit. These rates are on an average basis and determined in a like manner as AIRs of Drawback. The rate of rebate is not divisible into any component tax or input. The rates of rebate are provided as the general rates of rebate (Schedule 3). This schedule is based on the extant Schedule of All Industry Rates of Drawback for Chapters 63. The rebate is not applicable on exports made under Advance Authorization Scheme with claim of duty drawback under Rule 6 of the Drawback Rules. The definition of export in ROSL scheme does not cover movement of goods from DTA to SEZ units.

5. The claim cum declaration of eligibility has to be made by exporter on drawback exports at item-level. The drawback exports (shipping bill or bill of export) may be standalone or in combination with other schemes. The scheme codes 60- Drawback & ROSL and 61- EPCG, Drawback & ROSL are applicable for ROSL for madeups also and the exporter is to declare the same at item level to make claim cum declaration for the rebate. For EDI shipping bill, selection of the scheme-code involving ROSL scheme at the time of export shall itself amount to making claim cum declaration of eligibility. For EDI shipping bill this shall be the only means to make the claim. If need for manual shipping bill arises, only then the exporter printing the claim cum declaration on the shipping bill shall be accepted. No claim for rebate shall lie except in this manner.

6. The amount of rebate is calculated using the FOB value and the rates and caps of rebate specified in ROSL scheme. The rate and cap of rebate for a tariff item as shown in columns (4) and (5), of said Schedule 3 is used for calculation when shipping bill item has claim for AIR drawback or when the shipping bill item involves export under Rule 7 of Drawback Rules 1995 under claim for Brand Rate of drawback with identifier 9807 followed by tariff item number and suffix "B" of the AIR Drawback Schedule where provisional Drawback of Customs portion is to be paid.

7. All the guidelines for ROSL for garments as enumerated in Circular No. 43/2016-Cus dated 31.08.2016 and the arrangements made by Directorate of Systems and Pr. CCA CBEC in respect of RoSL for garments shall apply mutatis mutandis to RoSL for made ups.
8. Based on this guideline framework the individual Commissioners are required to provide adequate guidance to officers and exporters and to facilitate the smooth functioning of the RoSL scheme.
9. Difficulties in implementation, if any, that a Commissioner is not able to resolve, shall be resolved by the Chief Commissioner under intimation to the Board. Issues that Chief Commissioners are not in a position to resolve should be referred to the Board.

(Dinesh Kumar Gupta)
Director (Drawback)

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Secretary (Revenue)
Chairman (CBEC)
All Members of CBEC