



DIAMONDS, GEMS & JEWELLERY



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& Industry, Government of India

Ref.No.GJEPC/Duty Drawback/ Pol/ 2009-10/00115

19th March 2010

TO: ALL MEMBERS OF THE COUNCIL IN MAHARSHTRA

Sub: Public Notice on Introduction of Duty Drawback on Gold and Silver Jewellery - Procedure for drawback claim

Dear All,

We would like to inform all our members in Maharashtra that the Office of the Commissioner of Customs (Export), Air Cargo Complex, Sahar, Andheri (E), Mumbai has issued Public Notice No.04/2010 dated 24.02.2010.

The Government of India vide Notification No. 175/2009 -Customs (N.T.) dated 27th November , 2009 had announced the All Industry rates for Duty Drawback @ Rs 20.60 per gram of net gold content and Rs 1030 per kg of net silver in the jewellery.

The Council had strived hard and had made aggressive representations at all the levels of the Government of India. As a result of our continuous efforts, the duty drawback rates were announced for the gold and silver jewellery only for export purposes.

The members may download the aforesaid Public Notice from our website www.gjepc.org.

Thanking you,

With best regards,


SABYASACHI RAY
EXECUTIVE DIRECTOR

रत्न तथा आभूषण निर्यात संवर्धन परिषद

(भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय द्वारा प्रायोजित)

मुख्य कार्यालय : डायमंड प्लाजा, पाँचवी मंजिल, 391-ए, डॉ. दादासाहेब भडकमकर मार्ग, मुंबई - 400 004, भारत.
Head Office : Diamond Plaza, 5th Floor, 391-A, Dr. Dadasaheb Bhadkamkar Marg, Mumbai - 400 004, India.
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8TH March, 2010

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)

AIR CARGO COMPLEX, SAHAR, ANDHERI(E), MUMBAI - 400 099.

F.No. S/3-S.O./P.N-102/2010 DBK(EDI)

DATE: 24. 02. 2010

PUBLIC NOTICE NO. 04 /2010

Subject: - Introduction of drawback on Gold and Silver Jewellery - Procedure for drawback claim.

Attention of all Exporters, Custom House Agents and the Trade is invited to Notification No. 175/2009-Customs (NT) dated 27.11.2009 and Circular No. 33/2009-Customs dated 27.11.2009 issued by the Central Board of Excise & Customs. By the said notification, new entries for gold and silver Jewellery and parts thereof have been introduced at Sl. No. 711301 and 711302 of Drawback Schedule. Specific Drawback rates based on content of gold (0.995 or more purity) and silver (0.999 purity) have been prescribed.

2. Drawback for gold and silver Jewellery and parts thereof will only be applicable for exports made through Air Cargo Complex, Mumbai after filing of Shipping Bill at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri & examination thereof by the Customs Jewellery Expert or Appraising Officer / Superintendent to ascertain the quality and the quantum of gold/silver in exported items.

3. The drawback rates provided for gold & silver Jewellery and parts thereof shall not be applicable to goods manufactured or exported in discharge of export obligation against any scheme of the relevant Export and Import Policy or the Foreign Trade Policy of the Government of India which provides for duty free import / replenishment / procurement of gold / silver from local sources.

4. In order to ensure smooth implementation of this, following procedure is prescribed:-

(a) The exporter shall file drawback Shipping Bill in green colour manually at Diamond Plaza Customs Clearance Centre (DPCCC-I / II), Swastik Chambers, 2nd Floor, 391, Lamington Road, Mumbai - 400 004 or Andheri Gem & Jewellery Section, Andheri, as the case may be, in quadruplicate. The form of shipping bill shall be as laid down vide Shipping Bill and Bill of Export (Form) Regulations, 1991. The Shipping Bill should bear the details of exporter's bank account in which they want drawback amount to be credited. The Shipping Bill shall be accompanied by the following documents:-

- (i) Invoice.
- (ii) Copy of export contract / Letter of Credit
- (iii) Packing List
- (iv) GR-1 form in duplicate
- (v) Declaration as prescribed in Annexure-I
- (vi) Certificate of registration with the Gem & Jewellery Export promotion Council, for the exporters registered with that council.

Ch/vc ✓

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- (b) The Shipping Bill must contain item-wise details indicating identification mark as per Annexure-I, including gross weight and net weight of gold content (0.995 or more purity) / net silver content (0.999 purity), as the case may be.
- (c) The goods and Shipping Bill shall be presented to the Customs Jewellery Expert Appraiser/ Superintendent at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be. The Customs Jewellery Expert Appraiser/ Superintendent shall examine the goods w.r.t. content of gold / silver and assess the Shipping Bill. The content of gold / silver shall be certified by the Customs Jewellery Expert for drawback purposes.
- (d) All Shipping Bills with FOB value more than Rs.10 Lakhs or Drawback more than Rs.1 Lakh shall be countersigned by the Assistant / Deputy Commissioner of Diamond Plaza Customs Clearance Centre (DPCCC-I / II), Mumbai or Andheri Gem & Jewellery Section, Andheri, as the case may be. For this purpose, Customs Jewellery Expert or Appraising Officer / Superintendent shall forward all such Shipping Bills to AC / DC Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, so as to reach him before 5 P.M.
- (e) The Jewellery and part thereof shall be packed in steel / tin containers of suitable size only. These containers shall be sealed under the supervision of the Customs Jewellery Expert or Appraising Officer / Superintendent with one time wire seal and also separate serial numbered one time security seal after examination and certification of gold content (0.995 or more purity) / Net silver content (0.999 purity) as the case may be. The serial number of the security seal shall be indicated on the Shipping Bill by the Customs Jewellery Expert or Appraising Officer / Superintendent. After grant of Let Export Order, the goods shall be deposited with the Custodian for completion of export procedure as prescribed in relevant public notices and handing over of the cargo to the airlines for shipment.
- (f) The Custodian at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, will prepare Air Cargo Transfer Manifest (ACTM) in triplicate and the 'Transshipment Permit'. The duplicate, triplicate and Export Promotion copies of the Shipping Bills along with original and duplicate copies of the ACTM will accompany the export cargo. The cargo will then be transhipped by the Custodian to the Air Cargo Complex, Sahar for onward shipment by airlines. Custodian will be responsible for the safe & secure transportation of export parcels from the Diamond Plaza Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, to the Air Cargo Complex, Sahar.
- (g) The cargo will be presented to the Customs Export Freight Officer (E.F.O.) at the Air Cargo Complex, Sahar, who will check the parcels and the wire seal and one time security seal on the same with the particulars on shipping bills (including serial number of seal), ACTM and then permit the airlines for loading of the goods for exportation under Customs escort. The airlines will acknowledge the receipt of the cargo on the ACTM copies and return the original and the duplicate copy of ACTM to the Custodian, who shall submit the original copy to the DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, for their records.
- (h) After the shipment, endorsement will be obtained on the duplicate, triplicate and E. P. copies of Shipping Bill from Airlines and E.F.O., the Custodian will forward duplicate Shipping Bill to DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, for connecting with original Shipping Bill and the ACTM. The Custodian will hand over E.P. copy of Shipping Bill to the exporter and Triplicate copy to Customs Batch Office of the Air Cargo Complex, Sahar.
- (i) The Triplicate copy of Shipping Bill for export of goods under a claim for drawback shall be deemed to be a claim for drawback filed on the date on which the proper officer of

Customs makes an order permitting clearance and loading of goods for exportation under Section 51, and said claim for drawback shall be retained by the proper officer of Customs Batch Office after making such order.

(j) The Exporter/CHA and the officer of DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, shall ensure that the said claim for drawback (Triplicate copy of S/B) is accompanied by the following documents, namely:-

- (i) Invoice
- (ii) Copy of export contract / Letter of Credit
- (iii) Packing List
- (iv) Declaration as prescribed in Annexure I
- (v) Certificate of registration with the Gem & Jewellery Export promotion Council, for the exporters registered with that council.

(k) The officer-in-charge of Customs Batch Office, ACC, Sahar shall ensure endorsement of EGM and flight details on the Triplicate copy of Shipping Bill. The Triplicate copy of Shipping Bill along with enclosures shall be sent to Drawback Section at ACC, Sahar for processing and sanction of drawback claim.

(l) There shall be specific register at the Customs Batch Office to record receipt of such claims and their dispatch to Drawback Section, as well as register in Drawback Section where these shall be entered and then disposed.

5. For disbursement of drawback amount, the Exporter shall provide to the Assistant Commissioner / Deputy Commissioner (Drawback), Air Cargo Complex, Sahar details of their bank account in which they want drawback amount to be credited. No claim shall be sanctioned unless this information has been provided.

6. The Drawback Section shall sanction and disburse drawback amount by issue of a consolidated cheque on weekly basis for the exporter who has their Bank account with any Branch of the State Bank of India. A consolidated cheque shall be forwarded to SBI, Air Cargo Complex for onward credit to the accounts of the respective exporters. For rest of the exporters, who do not have an account with any branch of the State Bank of India, individual cheque bearing the bank name & account No. shall be issued which shall be dispatched only by registered post / speed post. There will be no hand delivery of cheque under any circumstances.

Any difficulty faced in this regard may be brought to the notice of this office.

Sd/-24.02.2010

(Rajiv Talwar)

Commissioner of Customs (Export)

Copy for information & Necessary action to:

1. Commissioner of Customs, C. S.I. Airport, Mumbai.
2. Commissioner of Customs (General), NCH, Mumbai.

Copy for information to:

1. Chief Commissioner of Customs, Zone -I, Mumbai
2. Chief Commissioner of Customs, Zone -III, Mumbai.
3. Joint Secretary (Drawback), CBEC, New Delhi.

ANNEXURE-I

Declaration by the Exporter for export of Gold / Silver Jewellery or parts thereof under claim of drawback

I/we _____ (name of the Exporter) declare that:-

1.* The weight of gold / silver declared in the shipment if for 0.995 or more purity of gold or 0.999 purity of silver.

2.* The gross weight is more than gold / silver content and the net gold content (0.995 or more purity) / Net silver content (0.999 purity) is _____ and the drawback claim has been restricted to this quantity only.

3. The export is not under any other export promotion scheme under which gold / silver is supplied / replenished duty free.

4. The item-wise content details in Studded / Kundan / Theva / Meena Jewellery is as under: -

S.No.	Item	Quantity	Value
1.	Gold		
	(a) Gross weight (in grams)		
	(b) Net weight (in grams)		
	(c) Net weight in 0.995 purity		
2.	Silver		
	(a) Gross weight (in grams)		
	(b) Net weight (in grams)		
	(c) Net weight in 0.999 purity		
3.	Gem stones		
	(a) Precious stones (pcs and carat)		
	(b) Semi-precious stones (pcs and carat)		
4.	Diamond (pcs, size and carat)		
5.	Glass (pcs and weight)		
6.	Wax or lac		
7.	Any other material		

Above declaration is true to the best of my knowledge and I shall be held responsible for any discrepancy, if noticed during examination by the Customs.

* Strike out whichever is in applicable.

(Name, address and Signature of the Exporter)