



## BMC Advisors

Corporate Laws and Intellectual Property Rights Consultants



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# ***WEEKLY UPDATES***

***FEBRUARY 19<sup>TH</sup>, 2018 - FEBRUARY 25<sup>TH</sup>, 2018***

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# SEBI UPDATES

## CIRCULAR

SEBI/HO/MRD/DRMNP/CIR/P/2018/27

February 20, 2018

All recognized Stock Exchanges and Clearing Corporations

Dear Sir/Madam

### **Computation of Daily Contract Settlement Value –Interest Rate Futures**

Kindly refer to SEBI circular CIR/MRD/DRMNP/35/2013 dated December 05, 2013 and circular CIR/MRD/DRMNP//11/2015 dated June 12, 2015 on Exchange Traded Cash Settled Interest Rate Futures (IRF) on Government of India security.

2. Based on the consultations held with the stakeholders, it has been decided to provide flexibility to the exchanges with regards the computation methodology of Daily Contract Settlement Value of Interest Rate Futures. Accordingly, Para 8 of Annexure 1 to aforesaid SEBI circulars shall now read as follows:

The Daily Contract Settlement Value shall be =  $P_w * 2000$

(Here  $P_w$  is volume weighted average futures price of last half an hour).

In the absence of last half an hour trading, theoretical futures price shall be considered for computation of Daily Contract Settlement Value.

For computing theoretical futures price, volume weighted average price of underlying bond in last two hours of trading on NDS-OM shall be considered. In case, there are no trades in the last two hours of trading on NDS-OM, either of the following shall be considered:-

A theoretical price with reference to FIMMDA rates shall be used.

OR

- a) The volume weighted average price of underlying bond in the entire day shall be considered.
- b) In case there are no trades in the entire day on NDS-OM, then the previous day's theoretical price shall be considered. The same can be considered up to maximum 5 trading days.
- c) If case there are no trades for more than 5 consecutive days, then a theoretical price with reference to FIMMDA rates shall be used.

Exchanges shall be required to disclose the model/methodology used for arriving at the theoretical price.

3. This circular is being issued in exercise of powers conferred under Section 11 (1) of the Securities and Exchange Board of India Act, 1992 to protect the interests of investors in securities and to promote the development of, and to regulate the securities market.

Yours faithfully

(Sanjay Puro)   
General Manager  
Market Regulation Department  
Email: sanjayp@sebi.gov.in

**CIRCULAR**

CIR/MRD/DRMNP/41 /2018

February 20, 2018

To  
All recognized Clearing Corporations in International  
Financial Services Centre  
Dear Sir / Madam,

**Sub: Acceptance of Bank Guarantees by Clearing Corporations in International Financial Services Centre (IFSC)**

1) SEBI vide circular no. SEBI/HO/MRD/DSA/CIR/P/2016/125 dated November 28, 2016, specified the guidelines for functioning of Stock Exchanges and Clearing Corporations in IFSC.

2) Based on the feedback received from the clearing corporations, it has been decided to amend para 2.6.3 of the abovementioned SEBI circular dated November 28, 2016, to read as under -

2.6.3. **Eligible collateral:** Clearing corporations in IFSC shall be permitted to accept cash and cash equivalents (which shall include major foreign currencies as may be decided by the clearing corporation from time to time, term deposit receipts and bank guarantees issued by bank branches located in IFSC), Indian securities held with foreign depositories, foreign securities including units of liquid mutual funds and gold, as eligible collateral for trades in all product categories. However, cash and cash equivalents shall form at least 50% of the total liquid assets at all times.

3) Clearing Corporations are directed to:

- a) take necessary steps to put in place systems for implementation of the circular, including necessary amendments to the relevant bye-laws, rules and regulations;
- b) bring the provisions of this circular to the notice of their members and also disseminate the same on its website; and
- c) communicate to SEBI, the status of implementation of the provisions of this circular in the Monthly Report.

4) This circular is being issued in exercise of powers conferred under Section 11 (1) of the Securities and Exchange Board of India Act, 1992 to protect the interests of investors in securities and to promote the development of, and to regulate, the securities market.

5) This circular is available on SEBI website at [www.sebi.gov.in](http://www.sebi.gov.in), under the category "Circulars".

Yours faithfully,  
**Sanjay Puro**  
General Manager  
Division of Risk Management and New Products  
Market Regulation Department  
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CIRCULAR

SEBI/HO/CFD/CMD/CIR/P/43/2018

February 22, 2018

To,

1. The listed entities
2. The recognised Stock Exchanges

**Subject: Manner of achieving minimum public shareholding**

1. Please refer to Circular No. CIR/CFD/CMD/14/2015 dated November 30, 2015 on the captioned subject, which allowed for various methods that may be used by a listed entity to achieve compliance with the minimum public shareholding requirements mandated under rules 19(2) (b) and 19A of the Securities Contracts (Regulation) Rules, 1957 ("the SCRR") read with regulation 38 of the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015.
2. With a view to further facilitate listed entities to comply with the minimum public shareholding requirements, the following additional methods are allowed :-
  - a) **Open market sale:** Sale of shares held by the promoters/promoter group up to 2% of the total paid-up equity share capital of the listed entity in the open market, subject to five times' average monthly trading volume of the shares of the listed entity;
  - b) **Qualified Institutions Placement:** Allotment of eligible securities through Qualified Institutions Placement in terms of Chapter VIII of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009.
3. **Conditions for open market sale:**
  - a) In respect of the method mentioned at paragraph 2(a) above, the listed entity shall, at least one trading day prior to every such proposed sale, announce the following details to the stock exchange(s) where its shares are listed:
    - i. the intention of the promoter/promoter group to sell and the purpose of sale;
    - ii. the details of promoter(s)/promoter group, who propose to divest their shareholding;
    - iii. total number of shares and percentage of shareholding proposed to be divested; and
    - iv. the period within which the entire divestment process will be completed.
  - b) The listed entity shall also give an undertaking to the recognized stock exchange(s) obtained from the persons belonging to the promoter and promoter group that they shall not buy any shares in the open market on the dates on which the shares are being sold by promoter(s)/promoter group as stated above.
  - c) The listed entity, its promoter(s) and promoter group shall ensure compliance with all applicable legal provisions including that of the Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 2015 and Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011.
4. Pursuant to the above, a compilation of all methods allowed for achieving compliance with the minimum public shareholding requirements is placed at **Annexure** for reference.

5. This Circular is issued in exercise of the powers conferred under sections 11 and 11A of the Securities and Exchange Board of India Act, 1992 read with regulations 38 and 101(2) of the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 and shall supersede the Circular No. CIR/CFD/CMD/14/2015 dated November 30, 2015.
6. This Circular is available at [www.sebi.gov.in](http://www.sebi.gov.in) under the link “Legal” and “Circulars”.
7. The recognized Stock Exchanges are advised to disseminate the contents of this Circular on their website.

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#### **ANNEXURE**

In order to achieve the minimum level of public shareholding mandated under rules 19(2)(b) and rule 19A of the Securities Contracts (Regulation) Rules, 1957, a listed entity shall adopt any of the following methods :-

- i. Issuance of shares to public through prospectus;
- ii. Offer for sale of shares held by promoters to public through prospectus;
- iii. Sale of shares held by promoters through the secondary market in terms of Circular reference No. CIR/MRD/DP/18/2012 dated July 18, 2012;
- iv. Institutional Placement Programme (IPP) in terms of Chapter VIIIA of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009;
- v. Rights Issue to public shareholders, with promoter/promoter group shareholders forgoing their entitlement to equity shares, that may arise from such issue;
- vi. Bonus Issues to public shareholders, with promoter/promoter group shareholders forgoing their entitlement to equity shares, that may arise from such issue;
- vii. Sale of shares held by promoters/promoter group up to 2% of the total paid-up equity share capital of the listed entity in the open market, subject to conditions specified under this Circular;
- viii. Allotment of eligible securities under Qualified Institutions Placement in terms of Chapter VIII of Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009;
- ix. Any other method as may be approved by the Board on a case to case basis. For this purpose, the listed entity may approach the Board with appropriate details to obtain prior permission. The Board would endeavor to communicate its decision within 30 days from the date of receipt of the proposal or the date of receipt of additional information as sought from the listed entity.

## **RBI UPDATES**

### **Ombudsman Scheme for Non-Banking Financial Companies, 2018 - Appointment of the Nodal Officer/Principal Nodal Officer**

RBI/2017-18/133  
DNBR.PD.CC.No 091/03.10.001/2017-18

February 23, 2018

All NBFCs

Madam/ Dear Sir,

### **Ombudsman Scheme for Non-Banking Financial Companies, 2018 - Appointment of the Nodal Officer/Principal Nodal Officer**

The Reserve Bank of India (RBI) has brought into operation today the Ombudsman Scheme for Non-Banking Financial Companies, 2018 (The Scheme). The Scheme is available on the RBI website <http://www.rbi.org.in>. The Non-Banking Financial Companies (NBFCs) that are covered under the Scheme (covered NBFCs) are advised to ensure that a suitable mechanism exists for receiving and addressing complaints from their customers with specific emphasis on resolving such complaints expeditiously and in a fair manner.

2. In this connection attention is invited to para 15.3 of the Scheme in terms of which

- i. The NBFCs covered by the Scheme shall appoint Nodal Officers (NOs) at their Head/Registered/Regional/Zonal Offices and inform all the Offices of the Ombudsman about the same.
- ii. The NOs so appointed shall be responsible for representing the company and furnishing information to the Ombudsman in respect of complaints filed against the NBFC.
- iii. Wherever more than one zone/region of a NBFC is falling within the jurisdiction of an Ombudsman, one of the NOs shall be designated as the 'Principal Nodal Officer' (PNO) for such zones or regions.

3. The PNO/NO shall be responsible, inter alia, for representing the covered NBFC before the Ombudsman and the Appellate Authority under the Scheme. The PNO/NO appointed at the Head Office of the NBFC shall be responsible for coordinating and liaising with the Customer Education and Protection Department (CEPD), RBI, Central Office. Covered NBFCs are at liberty to appoint the Grievance Redressal Officer (GRO) identified by the respective NBFCs in terms of extant guidelines on Grievance Redressal Mechanism, applicable to them, as the PNO or NO, provided that the officer concerned is sufficiently senior in the organisation. Where there is more than one Nodal Officer for a zone, the PNO shall be responsible for representing the company and furnishing information to the Ombudsman in respect of complaints filed against the NBFC.

4. With a view to strengthening the Grievances Redressal System and enhancing its effectiveness, the NBFCs shall take necessary steps as outlined above. Further, the name and details of the PNO/NO at the Head Office may be forwarded to the Chief General Manager, Consumer Education and Protection Department, Reserve Bank of India, Central Office, 1st Floor, Amar Building, Sir P.M. Road, Mumbai 400 001 (email). The names and contact details of PNOs/NOs of the zones may be forwarded to the RBI Ombudsman of the concerned zone.



## Display of Information

5. Covered NBFCs shall display prominently, for the benefit of their customers, at their branches/ places where business is transacted, the name and contact details (Telephone/ Mobile numbers as also email addresses) of the PNOs/NOs/GROs and the name and contact details of the Ombudsman, who can be approached by the customer.

6. Covered NBFCs shall prominently display the salient features of the Scheme (in English, Hindi and Vernacular language) at all their offices and branches in such a manner that a person visiting the office or branch has easy access to the information. A template for the salient features of the Scheme to be displayed is enclosed for reference (Appendix A).

7. All the above details along with a copy of the Scheme should also be prominently displayed on the web-site of covered NBFCs.

8. The Non-Banking Financial Company - Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions, 2016, Non-Banking Financial Company - Non-Systemically Important Non-Deposit taking Company (Reserve Bank) Directions, 2016, Non-Banking Financial Company - Account Aggregator (Reserve Bank) Directions, 2016, and Non-Banking Financial Company - P2P (Reserve Bank) Directions, 2017 have been updated with the instructions contained hereinabove.

Yours faithfully,

(C.D. Srinivasan)  
Chief General Manager

DEPUTY GOVERNOR

**Ombudsman Scheme for Non-Banking Financial Companies, 2018**

**NOTIFICATION**

Ref.CEPD.PRS.No.3590/13.01.004/2017-18

February 23, 2018

In exercise of the powers conferred by Section 45L of the Reserve Bank of India Act, 1934, the Reserve Bank of India (RBI) being satisfied that for the purpose of enabling it to promote conducive credit culture among the Non Banking Financial Companies (NBFCs) and to regulate the credit system of the country to its advantage, it is necessary to provide for a system of Ombudsman for redressal of complaints against deficiency in services concerning deposits, loans and advances and other specified matters, hereby directs that the NBFCs, as defined in Section 45-I(f) of the Reserve Bank of India Act, 1934 and registered with the RBI under Section 45-IA of the Reserve Bank of India Act, 1934 which (a) are authorised to accept deposits; or (b) have customer interface, with assets size of one billion rupees or above, as on the date of the audited balance sheet of the previous financial year, or of any such asset size as the RBI may prescribe, will come within the ambit, and should comply with the provisions of the Ombudsman Scheme for Non-Banking Financial Companies, 2018.

2. The Non-banking Financial Company - Infrastructure Finance Company (NBFC-IFC), Core Investment Company (CIC), Infrastructure Debt Fund - Non-banking Financial Company (IDF-NBFC) and an NBFC under liquidation, **are excluded** from the ambit of the Scheme.

3. To begin with, the Scheme will be operationalized for all deposit accepting NBFCs and based on the experience gained, the Scheme would be extended to include the remaining identified categories of NBFCs. It is initially being introduced at the four metro centers viz. Chennai, Kolkata, Mumbai and New Delhi for handling complaints from the respective zones, so as to cover the entire country. The area of jurisdiction of these offices is indicated in Annex 'I' of the Scheme.

4. The Scheme shall come into effect and force from February 23, 2018.

**(B P Kanungo)**

## IPR UPDATES

Dated 21/02/2018

### PUBLIC NOTICE

The office of the CGPDTM is organizing 5 National PCT Roving Seminars in cooperation with WIPO and in association with Industry associations from **12<sup>th</sup> March 2018 to 21<sup>st</sup> March 2018** as per the programs as mentioned below to share the knowledge about the use of PCT System in protecting the inventions globally. The main objective of these seminars is to provide information to the Indian inventors and applicants about the recent developments in PCT system as well as the benefits of filing of PCT International Applications through the e PCT portal, for Natural persons, small entities and startup companies etc. Besides, the seminar will also focus on the benefits of using of services of Indian Patent Office as Receiving Office (RO), International Searching and International Preliminary Examining Authority (ISA/IPEA)

Mr. John Sandage, Deputy Director General, Patents and Technology Sector, WIPO. Mr. Peter Waring, Head, PCT Technical Cooperation Section, PCT International Cooperation Division, WIPO and Ms. Anjali Aeri, Counsellor, PCT Office Services Section, PCT International Cooperation Division, WIPO along with IPO officials shall be actively participating in the seminar and sharing their views and benefits of PCT filing.

Date	Place	Organizing Industry	Local Coordinators/Contact	Venue
March 12	Mumbai	CII	<b>Shailendra Kumar;</b> E:kumar.shailendra@cii.in; M: 8106585839/7905774258	Hotel Taj Mahal Palace
March 14	Chennai	ASSOCHAM	<b>Ms. Uma S Nair;</b> E: umasnair@assochem.com M: 9036333975	Hotel Crown Plaza
March 16	Hyderabad	CII	<b>Shailendra Kumar;</b> E:kumar.shailendra@cii.in; M:8106585839/7905774258	Hotel Novotel
March 19	Chandigarh	FICCI	<b>Mr. Gurbinder Singh,</b> <b>FICCI Head - Advisory Council</b> Email: gb.singh@ficci.com <b>Phone: 9876577000</b>	National Institute for Technical teachers training & research (NITTTR)
March 21	Delhi	ASSOCHAM	Mohd Nahid Alam E: nahid.alam@assochem.com M:9953072076,M:9990720770	Hotel Claridges,

Interested users, stakeholders, applicants are invited to attend the same at the respective locations and contact the local coordinators as mentioned above. **No registration fee is charged.**

For any clarification, you may contact Ms G.B. Bimi Assistant Controller of Patents and Designs, Incharge Receiving Office, Patent Office Delhi at Email bimigb.ipo@nic.in or Dr Rajesh Dixit, Deputy Controller of Patents and Designs, Incharge ISA, Patent Office Delhi at Email dixit.rajesh@nic.in

**Sd/**  
 Dr.K.S.Kardam  
 (Senior Joint Controller of Patents and Designs)

# CUSTOM UPDATES

[To be Published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i)]

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)

## Notification

New Delhi, the 19th February, 2018

### No. 14/2018 - Customs (N.T.)

G.S.R. \_\_\_\_\_ (E).- In exercise of the powers conferred by sub-section (1) of section 5 of the Customs Tariff Act, 1975 (51 of 1975), the Central Government hereby makes the following rules to amend the Customs Tariff (Determination of Origin of Goods under the Comprehensive Economic Partnership Agreement between the Republic of India and Japan) Rules, 2011, namely:-

1. (1) These rules may be called the Customs Tariff (Determination of Origin of Goods under the Comprehensive Economic Partnership Agreement between the Republic of India and Japan) Amendment Rules, 2018.

(2) They shall come into force on the 1st day of March, 2018.

2. In the Customs Tariff (Determination of Origin of Goods under the Comprehensive Economic Partnership Agreement between the Republic of India and Japan) Rules, 2011, in Appendix-A to Annexure-2, in sub-clause (b) of clause 3, for the words "nine months", the words "twelve months" shall be substituted.

[F. No.20000/3/2012- OSD (ICD)]

(Dr. Sreeparvathy S. L.)  
Under Secretary to the Government of India

Note: The principal rules were published vide notification No.55/2011-Customs(N.T.), dated 1st August, 2011, in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) *vide* number G.S.R. 594(E), dated the 1st August, 2011.

[TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (i) OF THE GAZETTE OF INDIA,  
EXTRAORDINARY]  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(Department of Revenue)

Notification No. 27/2018-Customs

New Delhi, the 23rd February, 2018

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) and sub-section (12) of section 3 of the Customs Tariff Act, 1975 (51 of 1975), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 50/2017- Customs, dated the 30th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 785(E), dated the 30th June, 2017, namely:-

In the said notification, in the Table, for S.No. 377 and the entries relating thereto, the following S.No. and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"377	73	All goods [other than screw (7318 15 00) and SIM socket / Other Mechanical items (Metal) (7326 90 99) for cellular mobile phone]	10%	-	-".

[F.No.334/04/2018-TRU]

(Ruchi Bisht)

Under Secretary to the Government of India

Note: The principal notification No.50/2017-Customs, dated the 30th June, 2017 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 785(E), dated the 30th June, 2017 and last amended vide notification No. 26/2018-Customs, dated the 12th February 2018, published vide number G.S.R. 164 (E), dated the 12th February 2018.

[To be published in the Gazette of India, Extraordinary, Part-II, section 3, sub-section (ii)] Government  
of India

Ministry of Finance  
(Department of Revenue)  
Central Board of Excise and Customs  
Directorate of Revenue Intelligence  
Notification No. 2/2018-Customs (N.T./CAA/DRI)

New Delhi, dated the 23rd February 2018

S.O. (E). - In pursuance of notification No. 60/2015-Customs (N.T.), published vide number G.S.R. 453(E), dated 4th June 2015 in Gazette of India, Extra-ordinary, Part-II, section 3, sub-section (i), and as amended by notification No. 133/2015-Customs (N.T.), published vide number G.S.R. 916(E) dated 30th November 2015 in Gazette of India, Extraordinary, Part-II, section 3, sub-section (i), issued by the Government of India, Ministry of Finance, Department of Revenue, under clause (a) of section 152 of the Customs Act, 1962 (52 of 1962), the Director General, Revenue Intelligence, hereby makes the following amendment in the Notification No. 8/2017-Customs (N.T./CAA/DRI) dated 11th August 2017 published vide S.O. 2599(E) dated 11.08.2017. In the Table to the said notification, against serial number 3, in column 5 for the existing entry, "Additional Director General (Adjudication), Directorate of Revenue Intelligence, Mumbai" shall be substituted.

[F. No. DRI/HQ-CI/50D/CAA-1/2018-CI (ii)]  
(SHAILESH KUMAR)  
ADDITIONAL DIRECTOR

# GST UPDATES

Circular No. 33/07/2018-GST

F. No. 267/67/2017-CX.8  
Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise and Customs

New Delhi, dated the 23rd Feb., 2018

To

The Principal Chief Commissioners/ Chief Commissioners/ Principal Commissioners/ Commissioner of Central Tax (All),

The Principal Director Generals/ Director Generals (All).

Madam/Sir,

Sub: Directions under Section 168 of the CGST Act regarding non-transition of CENVAT credit under section 140 of CGST Act or non-utilization thereof in certain cases-reg.

In exercise of the powers conferred under section 168 of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as "Act"), for the purposes of uniformity in implementation of the Act, the Central Board of Excise and Customs hereby directs the following.

## **2. Non-utilization of Disputed Credit carried forward**

2.1 Where in relation to a certain CENVAT credit pertaining to which a show cause notice was issued under rule 14 of the CENVAT Credit Rules, 2004, which has been adjudicated and where in the last adjudication order or the last order-in-appeal, as it existed on 1st July, 2017, it was held that such CENVAT credit is not admissible, then such CENVAT credit (herein and after referred to as "disputed credit"), credited to the electronic credit ledger in terms of sub-section (1), (2), (3), (4), (5) (6) or (8) of section 140 of the Act, shall not be utilized by a registered taxable person to discharge his tax liability under this Act or under the IGST Act, 2017, till the order-in-original or the last order-in-appeal, as the case may be, holding that disputed credit as inadmissible is in existence.

2.2 During the period, when the last order-in-original or the last order-in-appeal, as the case may be, holding that disputed credit as inadmissible is in operation, if the said disputed credit is utilised, it shall be recovered from the tax payer, with interest and penalty as per the provisions of the Act.

## **3. Non-transition of Blocked Credit**

3.1 In terms of clause (i) of sub-section (1) of section 140 of the Act, a registered person shall not take in his electronic credit ledger, amount of CENVAT credit as is carried forward in the return relating to the period ending with the day immediately preceding the appointed day which is not eligible under the Act in terms of sub-section (5) of section 17 (hereinafter referred to as „blocked credit“), such as, telecommunication towers and pipelines laid outside the factory premises.

3.2 If the said blocked credit is carried forward and credited to the electronic credit ledger in contravention of section 140 of the Act, it shall not be utilized by a registered taxable person to discharge his tax liability under this Act or under the IGST Act, 2017, and shall be recovered from the tax payer with interest and penalty as per the provisions of the Act.

4. In all cases where the disputed credit as defined in terms of para 2.1 or blocked credit under para 3.1 is higher than Rs. ten lakhs, the taxpayers shall submit an undertaking to the jurisdictional officer of the Central Government that such credit shall not be utilized or has not been availed as transitional credit, as the case may be. In other cases of transitional credit of an amount lesser than Rs. ten lakhs, the directions as above shall apply but the need to submit the undertaking shall not apply.

5. Trade may be suitably informed and difficulty if any in implementation of the circular may be brought to the notice of the Board.

(ROHAN)  
Under Secretary to the Govt. of India



## **DGFT UPDATES**

**To be published in the Gazette of India Extraordinary Part-II, Section - 3, Sub-Section (ii)**

Government of India  
 Ministry of Commerce & Industry  
 Department of Commerce  
 Directorate General of Foreign Trade  
 Udyog Bhawan

**Notification No. 51/2015-2020**  
**New Delhi, Dated: 20th February, 2018**

**Subject:** Amendment in the Foreign Trade (Exemption from application of Rules in certain cases) Amendment Order, 2017

**S.O. (E):** In exercise of the powers conferred by section 3, read with section 4, of the Foreign Trade (Development and Regulation) Act, 1992, as amended from time to time, the Central Government hereby deletes the following Rule provisions of the Foreign Trade (Exemption from application of Rules in certain cases) Amendment Order, 2017 as under:

Section	Existing Provision	Revised position
<b>3(1)</b>	(a) by the Central Government or agencies, undertakings owned and agencies, undertakings owned and controlled by the Central Government for Defence purposes;  (b) by the Central Government or any State Government, Statutory Corporation, public body or Government Undertaking run as a Joint Stock Company;  (c) by the Central Government, any State Government or any statutory corporation or public body or Government Undertaking run as a joint Stock Company, orders in respect of which are placed through the Directorate General Supplies and Disposals, New Delhi	(a) by the Central Government or agencies, undertakings owned and controlled by the Central Government for Defence and <b>Security</b> purposes  (b) by the State Government for <b>Security</b> purposes  (c) <b>Deleted.</b>

**2. Effect of this Notification:** Modification in Section 3(1) (a) (b) and deletion of section 3 (1) (c) of the Foreign Trade (Exemption from application of Rules in certain cases) Amendment Order, 2017 is notified.

(Alok Vardhan Chaturvedi)  
 Director General of Foreign Trade  
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