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EDITORIAL



Friends,

A circular can be adverse to the Income Tax Department, but still are binding on the authorities of the IT Department, but cannot be binding on the assessee if they are adverse to the assessee. This is a settled position after the judgement of The Hon'ble the Supreme Court in the case of UCO Bank vs. CIT (1999) 154 CTR (SC) 88. Hence, the authorities cannot select any case for detailed scrutiny against the circulars issued by the Board. The CBDT's Instruction NO. 1935/1996 dated: March 12, 1996, It was decided that the norms of exclusion from sample scrutiny could be extended for the assessment year 1996-97 in the cases where the following criteria are satisfied: -

Those assesses who declared a total income for the assessment year 1995-96 that was more by 30 per cent of the total income returned for the assessment year 1994-95 subject to the conditions that:

- (i) the total income for the assessment years 1995-96 and 1996-97 exceed the basic exemption limit.
- (ii) the total income for the assessment year 1995-96 does not exceed Rs. 5 lakhs; and
- (iii) taxes for the assessment year 1996-97 are fully paid before the return is filed for that year.

If, however, the case falls under the compulsory scrutiny basket, the above norms of exclusion from scrutiny would not apply.

If the above requirements were fulfilled by the assesses, the case could not be taken up for sample scrutiny even in case the other balance sheet items were of high financial value and where the revenue would have doubts.

If these criteria were fulfilled, then even if genuineness of Share application money, loans and advances taken or

made, etc are prevalent, the case cannot be taken up for sample scrutiny as was held in the case of COMMISSIONER OF INCOME TAX, ROHTAK Vs M/s CRYSTAL PHOSPHATES LTD. [2023-VIL-50-P&H-DT].

The CBDT, could issue such orders, instructions, and directions to other IT authorities as it may deem fit for the proper administration of the Act and such authorities and all other persons employed in the execution of this Act shall observe and follow such orders, instructions and directions of the Board. The power is given to the Board the purpose of proper and efficient management of the work of assessment. It is a beneficial power given to the Board for proper administration of fiscal law so that undue hardship may not be caused to the assessee and the fiscal laws may be correctly applied. Hard cases which can be properly categorized as belonging to a class can thus be given the benefit of relaxation of law by issuing circulars binding on the taxing authorities.

To the same effect is the judgment passed by the Calcutta High Court in Amal Kumar Ghosh vs. Assistant Commissioner of Income Tax & others, (2014) 105 DTR 351 (Cal), wherein it has been held that during the financial year 2004-05, the selection of case for scrutiny had to be completed within 3 months of the date of filing of return. In that case, return was filed on 29.10.2004 and selection of case for scrutiny was done on 06.07.2005 i.e., the beyond the period of three months. It was held that instructions of CBDT were violated, as the circulars were binding upon the department. The Department was bound by that standard and could not act with discrimination. Finally, the appeal was allowed.

Just to reiterate that we remain available over telecom or e-mail.

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TAX CALENDAR

Due Date	Form/Return /Challan	Reporting Period	Description
30 th April	GSTR-4 (Annually)	FY 2022-23	Annual return for taxpayers who opted into the composition scheme
30 th April	Form 24G	March 2023	Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of March, 2023 has been paid without the production of a challan
30 th April	challan-cum-statement	March 2023	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194M, 194-IB, 194-IA, 194-S in the month of March, 2023
30 th April	Deposit of TDS deducted	March 2023	Due date for deposit of Tax deducted by an assessee other than an office of the Government for the month of March, 2023
30 th April	Form 61	Oct'22-Mar'23	Due date for e-filing of a declaration in Form No. 61 containing particulars of Form No. 60 received during the period October 1, 2022 to March 31, 2023
30 th April	Form 15G/15H	March 2023	Due date for uploading declarations received from recipients in Form. 15G/15H during the quarter ending March, 2023
30 th April	Deposit of TDS	Jan-Mar'23	Due date for deposit of TDS for the period January 2023 to March 2023 when Assessing Officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H

INCOME TAX

CASE LAW

NO CAPITAL GAINS ON AGRICULTURAL LAND U/S 2(14) EVEN INCASE THE LAND IS NOT USED FOR EARNING AGRICULTURAL INCOME AND IS SOLD AFTER PURCHASING

OUR COMMENTS: Section 2(14)(iii) of The Income tax Act provides that “Agricultural Land” would not be considered as a capital asset and states as under –

“.. (iii) agricultural land in India, not being land situated-
(a) in any area which is comprised within the jurisdiction of a municipality (whether known as a municipality, municipal corporation, notified area committee, town area committee, town committee, or by any other name) or a cantonment board and which has a population of not less than ten thousand [***] ; or

(b) in any area within the distance, measured aerially, -

(I) not being more than two kilometres, from the local limits of an municipality or cantonment board referred to in item (a) and which has a population of more than ten thousand but not exceeding one lakh; or

(II) not being more than six kilometres, from the local limits of any municipality or cantonment board referred to in item (a) and which has a population of more than one lakh but not exceeding ten lakh; or

(III) not being more than eight kilometres, from the local limits of any municipality or cantonment board referred to in item (a) and which has a population of more than ten lakh.

Explanation.-For the purposes of this sub-clause, “population” means the population according to the last preceding census of which the relevant figures have been published before the first day of the previous year”

No criterion has been mentioned that for holding a land to be “agricultural land”, agricultural produce must be done

on such land and agricultural income should have been derived from such land. Where the land had been shown as agricultural land in Revenue records, there was no application made for conversion of aforesaid agricultural land to non-agricultural land, the agriculture land under consideration was situated beyond 8 km from the municipal limits and other conditions for claiming the said land as agricultural land are satisfied, then the claim u/s 2(14)(iii) cannot be denied on the grounds that the assessee had not performed any agricultural activity on the said land or that the assessee had purchased the said property with the sole intention to sell the same for profit. The same was held in the case of THE ITO, WARD-2(1)(4), AHMEDABAD Vs M/s MEGHDEEP FARMS PVT. LTD [2023-VIL- 477-ITAT-AHM].

A question may be asked that when agricultural land is not a ‘capital asset’ itself, can the profit on sale of the land be taxed under any other head. It is to be noted that there is difference between a receipt not being an income and the same being an exempt income under the tax laws. So any profits made on sale of agricultural land, which is not a capital asset, is not an income at all for tax purpose. Such profit made on sale of such agricultural land is not required to be disclosed in the ITR.

GST

ADVISORY

ADVISORY ON BANK ACCOUNT VALIDATION

OUR COMMENTS: A new functionality for bank account validation is now integrated with the GST System. This feature is introduced to ensure that the bank accounts provided by the Tax Payer is correct.

The bank account validation status can be seen under the Dashboard→My Profile→Bank Account Status tab in the FO portal. Tax Payers will also receive the bank account status detail on registered email and mobile number immediately after the validation is performed for his declared bank account.

Post validation, any bank account number in the database would have one status out of the below mentioned four status types. The exact details of the accounts can be seen by hovering mouse over these icons in the Tax Payers' dashboard in FO Portal.

Icon	Description
	Success
	Failure
	Success With Remark
	Pending for Validation

Whenever, the Tax Payer is shown 'Failure' icon with further details such as

- The entered PAN number is invalid.

- PAN not available in the concerned bank account.
- PAN Registered under GSTIN, and the PAN maintained in the Bank Account are not same.
- IFSC code entered for the bank account details is invalid

In these cases, the Tax Payer is expected to ensure that he has entered correct bank details and the KYC is completed by bank for his bank account.

Whenever, the Tax Payer is shown, the status of his bank account as 'Success With Remark' icon with details "The account cannot be validated since the bank is not integrated with NPCI for online bank account validation", the Tax Payer should provide alternate bank account number so that it can be revalidated to expedite further online processes.

If the account status is shown as "Pending for Validation" then please wait since the account will be validated by NPCI.

The Tax Payer at any time can add/delete the bank account details and new account details will be validated.

[For further details please refer the advisory]

ADVISORY

NEW FACILITY TO VERIFY DOCUMENT REFERENCE NUMBER (RFN) MENTIONED ON OFFLINE COMMUNICATIONS ISSUED BY STATE GST AUTHORITIES

OUR COMMENTS: The GST portal ("System") generates various documents, such as notices/ orders, etc which are communicated to the taxpayer. Most such documents have a system-generated unique identifier DIN (Document Identification Number)/ RFN (Reference Number). These

GST

documents, by virtue of being generated by the System, are already traceable in the portal, mostly on the taxpayer's dashboard. Still, a facility for taxpayers to verify such documents through such auto-generated RFN is under development and will be provided shortly.

In addition, in order to enable the taxpayers to ascertain that an offline communication (i.e. one which is not system-generated) was indeed sent by the State GST tax officer or not, a new facility for Reference Number (RFN) generation by State tax officer and verification by taxpayer has been provided. Under this feature, the State Tax office can generate a RFN for the physically generated correspondence sent to the taxpayer, which can be validated by the taxpayer (both pre-login and post-login). The facility to verify RFN of System-generated documents, once deployed, shall also be available in a seamless manner using the same link.

To verify a Reference Number mentioned on the offline communications sent by State GST officers that are being sent to you, navigate to Services > User Services > Verify RFN option and provide the RFN to be verified.

In case the RFN is of an offline communication generated by the State GST officer, the details with the valid RFN will be displayed. The limited details will be provided pre-login also for verification, while greater details will be provided when the taxpayer logs in and verifies RFN mentioned on an offline communication issued to him/ her.

This facility is for offline correspondence issued by State GST authorities. For documents issued by Central GST officers, CBIC DIN facility may be used.

[For further details please refer the advisory]

FEMA

CIRCULAR

REMITTANCES TO INTERNATIONAL FINANCIAL SERVICES CENTRES (IFSCS) UNDER THE LIBERALISED REMITTANCE SCHEME (LRS)

OUR COMMENTS: The Reserve Bank of India vide circular no. 03 dated 26.04.2023 circulated that Attention of Authorised Dealer Category-I (AD Category-I) banks is invited to A.P. (DIR Series) Circular No. 11 dated February 16, 2021, on “Remittances to International Financial Services Centres (IFSCs) in India under the Liberalised Remittance Scheme (LRS)” and Master Direction No. 7/2015-16 on Liberalised Remittance Scheme (LRS) as amended from time to time.

2. On a review and with an objective to align the LRS for IFSCs set up under the International Financial Services Centres Authority Act, 2019 vis-à-vis other foreign jurisdictions, it has been decided to amend the directions under para 2 (ii) of the aforementioned A.P. (DIR Series) Circular dated February 16, 2021, as – “Resident Individuals may also open a Foreign Currency Account (FCA) in IFSCs, for making the above permissible investments under LRS.” Thus, the condition of repatriating any funds lying idle in the account for a period up to 15 days from the date of its receipt is withdrawn with immediate effect, which shall now be governed by the provisions of the scheme as contained in the aforesaid Master Direction on LRS.

3. The Master Direction No. 7 is being updated to reflect these changes.

4. AD Category - I banks should bring the contents of this circular to the notice of their constituents and customers.

5. The directions contained in this circular have been issued under sections 10(4) and 11(1) of the Foreign Exchange

Management Act, 1999 (42 of 1999) and are without prejudice to permissions/approvals, if any, required under any other law.

[For further details please refer the circular]

CUSTOMS

NOTIFICATION

AMENDMENT IN NOTIFICATION RELATING TO GRADED BCD STRUCTURE FOR HEARABLE DEVICES AND ITS PARTS, SUB-PARTS AND SUBASSEMBLY

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification No. 33/2023-Customs dated 27.04.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes amendments in the following notifications of the Ministry of Finance (Department of Revenue), specified in Column (2) of the Table below to the extent specified in the corresponding entry in column (3) of the said Table, namely: -

S. No.	Notification number and Date	Amendments
(1)	(2)	(3)
1.	Notification No. 11/2022-Customs, dated the 1st February, 2022, vide number G.S.R. 85(E), dated the 1st February, 2022.	In the notification, after the Table, the following proviso shall be inserted, namely:- “Provided that the rate of duty specified in Column (4) against the respective description of goods mentioned in Column (3) of the Table above shall apply even when such goods are presented together in a manner so as to attract the provision of rule 2(a) of the General Rules of Interpretation of the First Schedule of the Customs Tariff Act, 1975, subject to the respective conditions specified in column (5).”;
2.	Notification No. 12/2022-Customs, dated the 1st February, 2022, vide number G.S.R. 86(E), dated the 1st February, 2022.	In the notification, after the Explanation, the following proviso shall be inserted, namely:- “Provided that the rate of duty specified in Column (4) against the respective description of goods mentioned in Column (3) of the Table above shall

		apply even when such goods are presented together in a manner so as to attract the provision of rule 2(a) of the General Rules of Interpretation of the First Schedule of the Customs Tariff Act, 1975, subject to the respective conditions specified in column (5).”.
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[For further details please refer the notification]

NOTIFICATION

AMENDING CUSTOMS NOTIFICATIONS TO IMPLEMENT THE "AMNESTY SCHEME FOR ONE TIME SETTLEMENT OF DEFAULT IN EXPORT OBLIGATION BY ADVANCE AND EPCG AUTHORIZATION HOLDERS" NOTIFIED BY DGFT

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Notification No. 32/2023-Cutoms dated 26.04.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in each of the notifications of the Government of India, Ministry of Finance (Department of Revenue) specified in Column (2) of the Table below, which shall be further amended in the manner as specified in the corresponding entries in Column (3) of the said Table, namely :-

TABLE

Sl.No.	Notification number and date	Amendments
(1)	(2)	(3)
1.	44/2002-Customs, dated the 19th April, 2002 [Vide number G.S.R. 293(E), dated the 19th April, 2002]	In the said notification, after the paragraph 5 and before the Table, the following paragraph shall be inserted, namely: - "6. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms

CUSTOMS

		of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
2.	55/2003-Customs, dated the 1st April, 2003 [Vide number G.S.R. 279 (E), dated the 1st April, 2003]	In the said notification, after the paragraph 5 and before the Table, the following paragraph shall be inserted, namely: - "6. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
3.	97/2004-Customs, dated the 17th September, 2004 [Vide number G.S.R. 620 (E), dated the 17th September, 2004]	In the said notification, after the paragraph 6 and before the Explanation, the following paragraph shall be inserted, namely: - "7. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
4.	64/2008-Customs, dated the 9th May, 2008 [Vide number	In the said notification, after the paragraph 5 and before the Explanation, the following

	G.S.R. 349 (E), dated the 9th May, 2008]	paragraph shall be inserted, namely: - "6. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
5.	136/2008-Customs, dated the 24th December, 2008 [Vide number G.S.R. 878 (E), dated the 24th December, 2008]	In the said notification, after the paragraph 4 and before the Explanation, the following paragraph shall be inserted, namely: - "5. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
6.	100/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 666 (E), dated the 11th September, 2009]	In the said notification, after the paragraph 3 and before the Explanation, the following paragraph shall be inserted, namely: - "4. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest

CUSTOMS

		to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
7.	101/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 667 (E), dated the 11th September, 2009]	In the said notification, after the paragraph 4 and before the Explanation, the following paragraph shall be inserted, namely: - "5. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
8.	102/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 668 (E), dated the 11th September, 2009]	In the said notification, after the paragraph 4 and before the Explanation, the following paragraph shall be inserted, namely: - "5. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
9.	103/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 669 (E), dated the 11th September, 2009]	In the said notification, after the paragraph 3 and before the Explanation, the following paragraph shall be inserted, namely: - "4. In a case of default in export obligation, when the

		duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
10.	22/2013-Customs, dated the 18th April, 2013 [Vide number G.S.R. 248 (E), dated the 18th April, 2013]	In the said notification, after the paragraph 3 and before the Explanation, the following paragraph shall be inserted, namely: - "4. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
11.	96/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 662 (E), dated the 11th September, 2009]	In the said notification, after the paragraph 3 and before the Explanation, the following paragraph shall be inserted, namely: - "4. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023.”.
12.	99/2009-Customs,	In the said notification, after

CUSTOMS

	dated the 11th September, 2009 [Vide number G.S.R. 665 (E), dated the 11th September, 2009]	the paragraph 2 and before the Explanation, the following paragraph shall be inserted, namely: - "3. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023."
13.	112/2009-Customs, dated the 29th September, 2009 [Vide number G.S.R. 710 (E), dated the 29th September, 2009]	In the said notification, after the paragraph 3 and before the Explanation, the following paragraph shall be inserted, namely: - "4. In a case of default in export obligation, when the duty on goods is paid to regularise the default in terms of Public Notice of the Government of India, Ministry of Commerce and Industry No. 02/2023, dated the 1st April, 2023, the amount of interest to be paid by the importer shall be payable as specified in the said public notice dated the 1st April, 2023."

[For further details please refer the notification]

NOTIFICATION
AMENDMENT IN NOTIFICATION RELATING TO EXEMPT DEPOSITS INTO ECL TILL 30TH APRIL 2023

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Circular No. 31/2023-Cutoms(N.T) dated 26.04.2023 notified In exercise of the powers conferred by

sub-section (4) of section 51A of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs, on being satisfied that it is necessary and expedient to do so, hereby makes the following amendments to the notification No. 18/2023-Customs (N.T.) dated the 30th March 2023, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide S.O. 1528 (E), dated the 30th March, 2023, namely, -

In the said notification, in para 2, for the words, '30th April, 2023', the words '30th June, 2023' shall be substituted.

[For further details please refer the notification]

NOTIFICATION
AMENDMENT IN NOTIFICATION REGARDING SECTION 51A (4) OF THE CUSTOMS ACT, 1962, EXEMPTS THE DEPOSITS - PAYMENTS THROUGH ELECTRONIC CASH LEDGER

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Circular No. 30/2023-Cutoms(N.T) dated 26.04.2023 notified In exercise of the powers conferred by sub-section (4) of section 51A of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs, on being satisfied that it is necessary and expedient to do so, hereby makes the following further amendments to the notification No. 19/2022-Customs (N.T.) dated the 30th March 2022, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide S.O. 1512 (E), dated the 30th March, 2022, namely, -

In the said notification, in para 2, for the words, '1st May, 2023', the words '1st July, 2023' shall be substituted.

[For further details please refer the notification]

DGFT

PUBLIC NOTICE

AMENDMENT IN DETAILS OF AN AUTHORIZED AGENCY UNDER APPENDIX 2E OF FTP 2023

OUR COMMENTS: The Ministry of Commerce and Industry, Department of Commerce vide Public Notice No. 11/2023 dated 27.04.2023 notified In exercise of powers conferred under paragraph 2.04 of the Foreign Trade Policy (FTP) 2023, the Director General of Foreign Trade hereby makes an amendment in details of the following agency authorized to issue Certificate of Origin (Non Preferential) under Appendix 2E of the FTP 2023:

S. No. in Appendix 2E (under Maharashtra a State)	Existing details of the agency	Revised name and address of the agency
11.	Maharatta Chamber of Commerce & Industries of P.B. No. 525, Tilak Road, Tel: 020-4440371/0472 Fax: 020-4447902 E-mail:mccipune@vsnl.com	Mahratta Chamber of Commerce Industries and Agriculture Head Office: Pune-411002. 505 and 506 A & B Wing MCCA Trade Tower, S. L. Kirloskar International Convention Centre, 403-A, Senapati Bapat Road, Pune 411030 Tel : 020-25709000, 020-25709213 Email :

info@mcciapune.com

Website :
www.mcciapune.com

Branch Offices :

1. Swargate Corner, Tilak Road, Pune 411002 Tel : 020-24440371/020-24440472

2. J-462 MIDC, Telco Road, Ganesh Nagar, Bhosari, Pune 411026 Tel : 020-27130700

3. Plot No. 7, A/3 Hadapsar Industrial Estate, Pune 411 013 Tel: 020-26877010

4. MCCA Building, Plot no. 86, MIDC Ahmednagar, 414111 Tel : 0241-2777837

2. Effect of this Public Notice:

The name of Maharatta Chamber of Commerce & Industries, enlisted under Appendix 2E of FTP 2023, has been amended as 'Mahratta Chamber of Commerce Industries and Agriculture' and branch offices, address and contact details have been updated.

[For further details please refer the public notice]

DGFT

PUBLIC NOTICE

APPENDICES & AAYAT NIRYAT FORMS OF FOREIGN TRADE POLICY, 2023

OUR COMMENTS: The Ministry of Commerce and Industry, Department of Commerce vide Public Notice No. 10/2023 dated 26.04.2023 notified In exercise of powers conferred under paragraph 1.03 and 2.04 of the Foreign Trade Policy, 2023, the Director General of Foreign Trade hereby notifies the Appendices & Aayat Niryat Forms. The updated Appendices & Aayat Niryat Forms is made available in the website of DGFT (<https://dgft.gov.in>).

Effect of this Public Notice: The Appendices & Aayat Niryat Forms of Foreign Trade Policy, 2023, are hereby notified.

[For further details please refer the public notice]

PUBLIC NOTICE

AMENDMENT IN PARA 4.12 (VI) OF THE HANDBOOK OF PROCEDURES, 2023

OUR COMMENTS: The Ministry of Commerce and Industry, Department of Commerce vide Public Notice No. 09/2023 dated 25.04.2023 notified In exercise of powers conferred under Paragraph 1.03 and 2.04 of the Foreign Trade Policy, 2023, as amended from time to time, the Director General of Foreign Trade hereby makes the following amendment in the provision of Para 4.12(vi) of the Handbook of Procedures 2023

Existing para 4.12 (vi)	Amended para 4.12 (vi)
Norms ratified by any Norms Committee (NC) in the O/o DGFT on or after	Norms ratified by any Norms Committee (NC) in the O/o DGFT on or after 01.04.2023 in respect

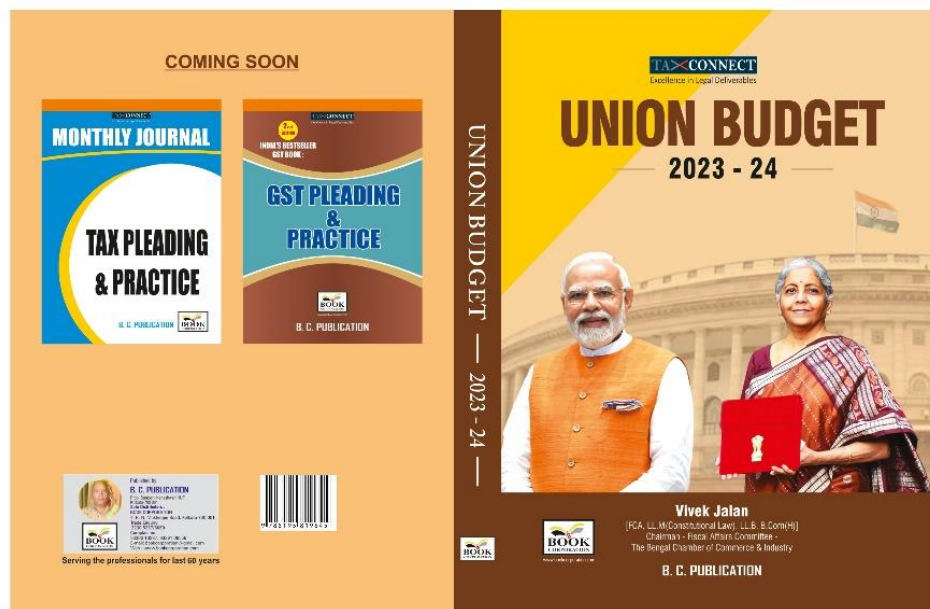
01.04.2023 in respect of any Advance Authorisation obtained under paragraph 4.07 of HBP, 2015-2020 shall be valid for a period of three years from the date of ratification. **However, the Norms ratified by any Norms Committee (NC) on or after 01.04.2015 in respect of any Advance Authorisation obtained under paragraph 4.07 of HBP, 2015-2020 shall also be valid further upto 31.03.2026.** Since all decisions of the Norms Committees are available in the form of minutes on the DGFT website, all other applicants of Advance Authorisation decisions of the Norms Committees are available in the form of minutes on the DGFT website, all other applicants of such ratified norms on Advance Authorisation are also eligible to apply and get their validity of these norms. This para is not applicable for authorisations based on such ratified norms on repeat basis during validity of these norms. This para is not applicable for authorisations applied for items listed under Appendix 4P.

Effect of the Public Notice: Para 4.12(vi) of the Handbook of Procedures 2023 in respect of Advance Authorization issued under para 4.07 of HBP 2015-2020 has been amended to extend the validity of ad-hoc norms ratified from 01.04.2015 up to 31.03.2023, which shall now be valid up to 31.03.2026, for ease of doing business and reduction of transaction cost.

[For further details please refer the public notice]

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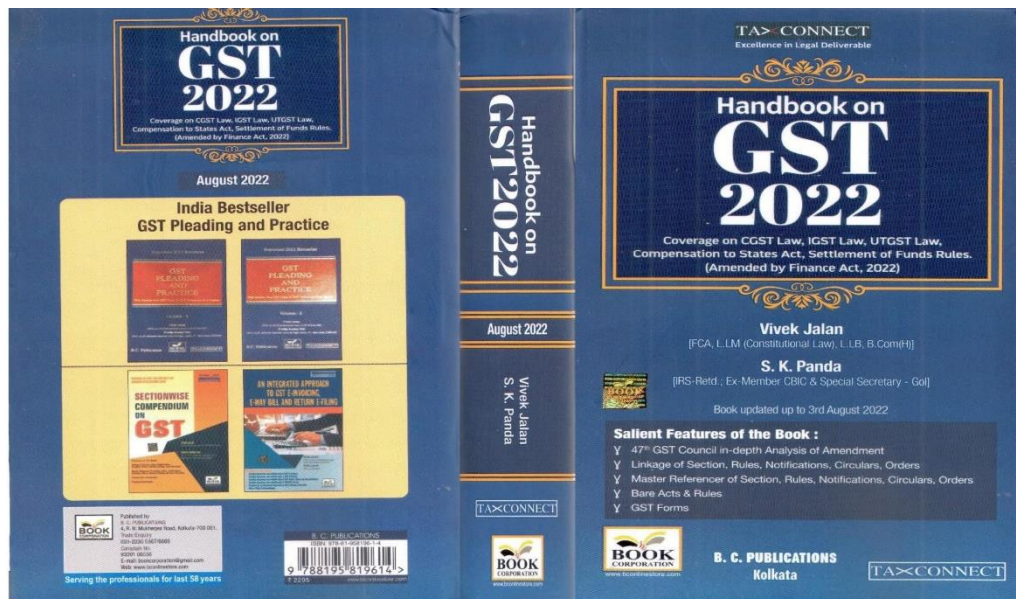
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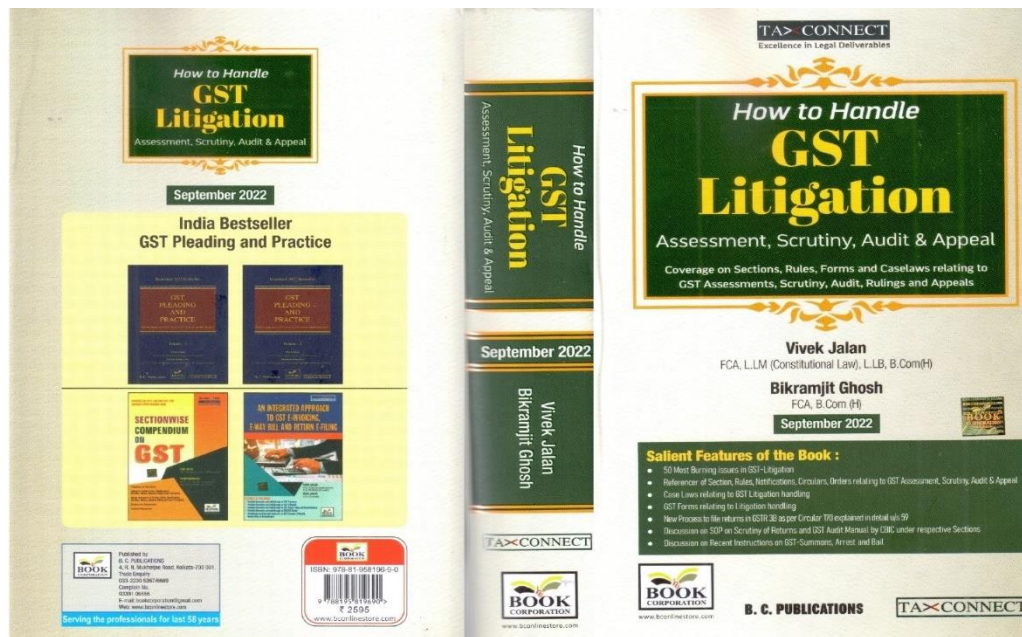
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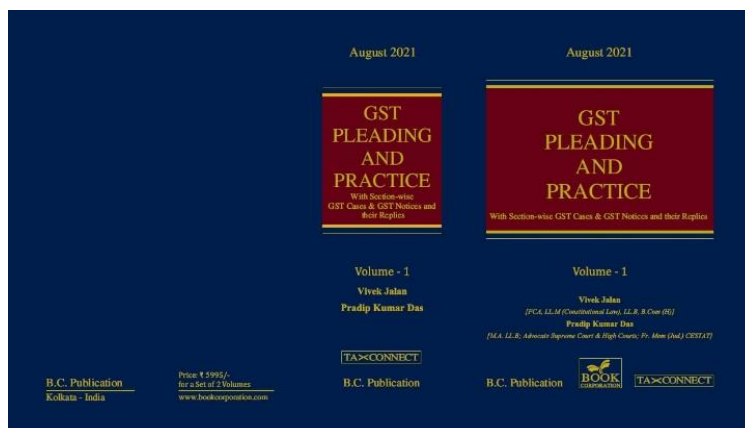
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