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EDITORIAL



Friends,

The Reserve Bank of India vide its circular dated 11 November 2024, has finalised an operational framework for reclassification of Foreign Portfolio Investment made by Foreign Portfolio Investors (FPI) to Foreign Direct Investment (FDI) under Foreign Exchange Management (Non-debt Instruments) Rules, 2019 in case of any breach of the investment limit by the FPIs concerned. As per the RBI framework, the foreign portfolio investors have the option of divesting their holdings or reclassifying such holdings as FDI if the 10 per cent cap is breached. This reclassification has to be completed "within five trading days from the date of settlement of the trades causing the breach.

This would give more elbow room to those FPIs who wish to raise their stakes in Indian Equities. It is understood that there are around 17 companies listed on the National Stock Exchange (NSE) where a single FPI has holdings of up to 9 per cent. Key Highlights of the Operational Framework for Reclassification of FPI to FDI.

1. Reclassification is not permitted in sectors where FDI is prohibited under the Rules.
2. Mandatory Approvals:
 - FPIs are required to obtain the concurrence of the Indian investee company.
 - Obtain requisite approvals from the Government of India, where applicable, including approvals for investments originating from countries sharing land borders with India.
 - Obtain requisite approvals from the Government of India, where applicable, including approvals for investments originating from countries sharing land borders with India.
 - Investments exceeding prescribed limits must comply with FDI regulations.
3. Role of Custodian
 - The FPI must notify its intent to reclassify to its custodian.

- Upon notification, the custodian shall freeze purchase transactions in the equity instruments of the Indian company until the reclassification process is concluded.
- Failure to secure necessary approvals or concurrence within prescribed timelines shall result in compulsory divestment of the excess investment.

4. Reporting Obligations

Sl. No.	Event triggering excess investments	RBI reporting	Entity responsible
1	Fresh issuance of equity instruments	Form FC-GPR within 30 days	Indian Company
2	Acquisition of equity instruments from the secondary market	Form FC-TRS within 60 days	FPI

5. Completion of Reclassification

- Upon verification of compliance with reporting requirements, the custodian will lift the freeze on the equity instruments.
- The date of the investment breach shall be treated as the effective date of reclassification.

6. FDI Treatment Post-Reclassification

- Once reclassified, the entire investment by the FPI in the Indian company will be treated as FDI, regardless of whether the holding subsequently falls below the 10% threshold.

7. Investor Group Consideration

- The FPI, along with its investor group, shall be treated as a single entity for reclassification purposes.
- Such investments will be governed under Schedule I of the Rules, which deals with FDI.

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

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TAX CALENDAR

Date	Form/Return/Challan	Reporting Period	Description
10 th December	GSTR-7	November'2024	Monthly return filed by individuals who deduct tax at source or TDS under the Goods and Services Tax (GST)
10 th December	GSTR-8	November'2024	Monthly return to be filed by e-commerce operators registered under the GST.
11 th December	GSTR-1	November'2024	Monthly Statement of Outward Supplies to be furnished by all normal registered taxpayers making outward supplies of goods and services or both and contains details of outward supplies of goods and services.
11 th December	GSTR-1 (IFF)	November'2024	Details of B2B Supply of a registered person with turnover upto INR 5 Crores during the preceding year and who has opted for quarterly filing of return under QRMP.
13 th December	GSTR-5	November'2024	Summary of outward taxable supplies and tax payable by a non-resident taxable person.
13 th December	GSTR-6	November'2024	Details of Input Tax Credit (ITC) received and distributed by an Input Service Distributors (ISD).

INCOME TAX

CIRCULAR

EXTENSION OF DUE DATE FOR FURNISHING RETURN OF INCOME IN THE CASE OF AN ASSESSEE WHO IS REQUIRED TO FURNISH A REPORT REFERRED TO IN SECTION 92E REGARDING INTERNATIONAL TRANSACTIONS FOR THE AY 2024-25

OUR COMMENTS: The Central Board of Direct Taxes vide Notification No. 18/2024 dated 30.11.2024 clarified that The Central Board of Direct Taxes (CBDT), in exercise of its powers under section 119 of the Income-tax Act, 1961 ('the Act'), extends the due date of furnishing of Return of Income under sub-section (1) of section 139 of the Act for the Assessment Year 2024-25 in the case of assessee referred to in clause (aa) of Explanation 2 to sub-section (1) of section 139 of the Act, which is 30th November, 2024 to 15th December, 2024.

[For further details please refer the Circular]

CASE LAW

COMMISSIONER OF INCOME TAX – I VERSUS M/S. BIRLASOFT LTD.: DELHI HIGH COURT

OUR COMMENTS: Second unit entitled to deduction u/s 10A - whether it is not a part or mere extension of the "first unit"? In the present case, the fact that NOIDA-II unit was engaged in the same business is not dispositive of the question whether the said undertaking does not fulfil the criteria as specified in Clauses (ii) and (iii) of sub-section (2) of Section 10A of the Act. The Assessee had explained that it would set up the new undertaking to cater to its growth plans. It had hired a separate space from NOIDA (New Okhla Industrial Development Authority) for establishing the said unit. It had made an investment in the additional assets for setting up the said unit and resultantly not only the Assessee's gross block but also the seating capacity had doubled. As noted, before, the Assessee's claim that the sitting capacity had increased from 300 seats to 700 seats with the establishment of the new undertaking (NOIDA-II unit) has not been controverted.

The question whether a new undertaking has been set up, which is eligible for deduction u/s 10A of the Act is, therefore, most relevant in the initial year of operation. Since the Revenue accepts in the initial year of operation that a new undertaking has been set up and does not fall within the exclusionary clauses – that is, it is not formed by the splitting up, or the reconstruction of an extant business or by transfer to a new business of machinery or plant previously used for any purpose – the controversy must rest for future years as well. This is of course subject to the condition that no additional material or facts, which establish otherwise are found subsequently. It would be debilitating to the rule of consistency and certainty in the matter of taxation, if the question of eligibility of a unit is permitted to be re-agitated on the same set of facts despite the Revenue having accepted the findings – which are essentially factual

findings – in favour of the Assessee in the initial year(s). It is difficult to accept that the Revenue could accept a set of facts in one year and yet challenge the same in another, without any change in circumstances or any new fact coming to light.

The proceeding relating to each assessment year are separate and it is settled law that the principle of res judicata does not apply to the subsequent assessment proceedings. However, this is a fit case where it would be apposite to apply the principles enunciated by the Supreme Court in the case of Radhasoami Satsang Saomi Bagh, Agra [1991 (11) TMI 2 - SUPREME COURT]

Thus, it has been held that, no infirmity with the decision of the learned ITAT in upholding the view that NOIDA-II unit was entitled to deduction under Section 10A of the Act in respect of its profits and gains derived from NOIDA-I unit.

TP Adjustment - method used by the AO for benchmarking the ALP on the basis of external comparables - TPO had determined the PLI (operating profit over total cost) in respect of each of the three STP units and had proceeded to determine the quantum of ALP adjustment as required for each of the three separate unit- Assessee's challenge to the TP adjustment as directed by the TPO, inter alia, on the ground that there was no significant functional difference in the software development and maintenance services - HELD THAT:- In the present case, the TPO benchmarked each of the three STP units separately. However, the profit margin of external uncontrolled transactions was determined on entity level and not on a unit or segmental level. Whilst TNMM is tolerant to minor functional dissimilarities, it will be necessary that the comparable international transactions are of a similar nature. It would be impermissible to use uncontrolled comparable transaction with different parameters that controlled international transactions. It is also relevant that reasonably accurate and authentic data of the uncontrolled transaction is available so as to reasonably determine the profit margin arising from the said transaction.

As noted at the outset, the object of undertaking the transfer pricing analysis is to impute a real value to the transaction that would obtain in case the same was not controlled on account of being inter se AE. Thus, it is necessary to determine the profit margin if a similar transaction was executed by an unrelated entity. In this regard, the facts that the agreement between the AE under which services were rendered by the Assessee through its various undertaking is the same, it would be apposite to compare the services provided by unrelated entity under a similar agreement. The singularity of an agreement would be relevant for determining the overarching transaction that is required to be benchmarked. This would not permit the

INCOME TAX

overarching transactions to be split up between various undertakings for comparing the profit margin derived by an unrelated entity from a comparable uncontrolled transaction.

In addition to the above, the learned CIT (A) had also noticed that there was interlacing of funds and unity of management which are necessary aspects required to be factored while using TNMM for determining the ALP.

If in a given case, the transactions fall within the scope of a 'domestic specified transaction' under Section 92BA of the Act, the said exercise of determining the ALP would be required. However, if a particular transaction does not fall within the sweep of the statutory provisions, it is obvious that it will not be permissible to readjust the prices on account of a possible domestic transactions that may possibly distort the quantum of benefit available u/s 10A of the Act. The only question to be addressed is whether the decision of the learned CIT (A) and the learned ITAT to direct that the ALP be determined on the basis of TNMM by comparing the PLI at an enterprise level is erroneous or contrary to the guidelines for determining the ALP as prescribed under the Rules. - Decided in favour of assessee.

Crystallization and accrual of liability towards payroll taxes - date on which the liability to pay had arisen - – it has been held that, as the reconciliation of payroll tax was conducted at the end of Australian tax year in July, 2003 and the amount in question was crystallized on such reconciliation. Decided in favour of assessee.

GST

CIRCULAR

AMENDMENT TO CIRCULAR NO. 31/05/2018-GST, DATED 9TH FEBRUARY, 2018 ON 'PROPER OFFICER UNDER SECTIONS 73 AND 74 OF THE CGST Act, 2017 AND UNDER THE IGST ACT, 2017'

OUR COMMENTS: The Central Board of Indirect Taxes vide Circular No. 239/33/2024-Central Tax dated 04.12.2024 clarified that Vide Notification No. 02/2022-Central Tax dated 11th March, 2022, para 3A was inserted in Notification No. 02/2017-Central Tax dated 19th June, 2017, to empower Additional Commissioners of Central Tax/ Joint Commissioners of Central Tax of some of the specified Central Tax Commissionerates, with All India Jurisdiction for the purpose of adjudication of the show cause notices issued by the officers of the Directorate General of Goods and Services Tax Intelligence (herein after referred as DGGI). Further, vide Notification No. 27/2024-Central Tax dated 25th November, 2024, Table V has been substituted in the Notification No. 02/2017-Central Tax dated 19th June, 2017, to empower more number of Additional Commissioners of Central Tax/ Joint Commissioners of Central Tax of specified Central Tax Commissionerates, with All India Jurisdiction for the purpose of adjudication of the show cause notices issued by the officers of DGGI. Notification No 27/2024- Central Tax dated 25th November, 2024 has come into effect from 1st December, 2024.

2. Consequently, para 7.1 of the Circular No. 31/05/2018-GST dated 9th February, 2018 (as amended by Circular No. 169/01/2022-GST dated 12th March, 2022) is substituted as below:

“7.1 In respect of show cause notices issued by officers of DGGI, there may be cases were,

(i) a show cause notice is issued to multiple noticees, either having the same or different PANs; or

(ii) multiple show cause notices are issued on the same issue to multiple noticees having the same PAN,

and the principal place of business of such noticees fall under the jurisdiction of multiple Central Tax Commissionerates. For the purpose of adjudication of such show cause notices,

Additional/Joint Commissioners of Central Tax of specified Commissionerates have been empowered with All India jurisdiction through amendment in the Notification No. 02/2027 dated 19th June, 2017 vide Notification No. 02/2022-Central Tax dated 11th March, 2022, as further amended vide Notification No. 27/2024-Central Tax dated 25th November, 2024. Such show cause notices may be adjudicated, irrespective of the amount involved in the show cause notice(s), by one of the Additional/Joint Commissioners of Central Tax empowered with All India jurisdiction vide the above-mentioned notifications. Principal Commissioners/ Commissioners of the Central Tax Commissionerates specified in the said notification will allocate charge of Adjudication (DGGI cases) to one or more Additional Commissioners/ Joint Commissioners posted in their Commissionerates. Where the location of principal place of business of the noticee, having the highest amount of demand of tax in the said show cause notice(s), falls under the jurisdiction of a Central Tax Zone/Commissionerate mentioned in column 2 of the table below, the show cause notice(s) may be adjudicated by one of the Additional Commissioners/ Joint Commissioners of Central Tax, holding the charge of Adjudication (DGGI cases), of the Central Tax Commissionerate mentioned in column 3 of the said table corresponding to the said Central Tax Zone/Commissionerate. Such show cause notice(s) may, accordingly, be made answerable by the officers of DGGI to the concerned Additional/ Joint Commissioners of Central Tax.

TABLE

Sl. No.	Central Tax Zone/ Commissionerates in whose jurisdiction the location of the principal place of business of the noticee having highest amount of demand of tax involved falls	Central Tax Commissionerate whose Additional Commissioner or Joint Commissioner shall adjudicate Show Cause Notices issued by officers of Directorate General of GST Intelligence
(1)	(2)	(3)
1.	Ahmedabad Zone	Ahmedabad South
2.	Vadodara Zone	Surat
3.	Bhopal Zone	Bhopal

GST

4.	Nagpur Zone	Nagpur-II
5.	Chandigarh Zone	Chandigarh
6.	Panchkula Zone	Faridabad
7.	Chennai Zone	Chennai South
8.	Bengaluru Zone	Bengaluru East
9.	Thiruvananthapuram Zone	Thiruvananthapuram
10.	Delhi North and Delhi East Commissionerates of Delhi Zone	Delhi North
11.	Delhi West and Delhi South Commissionerates of Delhi Zone	Delhi West
12.	Jaipur Zone	Jaipur
13.	Guwahati Zone	Guwahati
14.	Hyderabad Zone	Rangareddy
15.	Visakhapatnam (Amaravathi) Zone	Visakhapatnam
16.	Bhubaneswar Zone	Bhubaneswar
17.	Kolkata Zone	Kolkata North
18.	Ranchi Zone	Ranchi
19.	Lucknow Zone	Lucknow
20.	Meerut Zone	Meerut
21.	Mumbai West, Thane, Thane Rural, Raigarh, Belapur, Navi Mumbai and Bhiwandi Commissionerates of Mumbai Zone	Thane
22.	Mumbai South, Mumbai East, Mumbai Central and Palghar Commissionerates of Mumbai Zone	Palghar
23.	Pune Zone	Pune-II

7.1.1 It is further clarified that in cases where a show cause notice has been issued to multiple noticees, either having same or different PANs, and the said show cause notice is required to be adjudicated by a common adjudicating authority as per the highest amount of demand of tax in accordance with the criteria mentioned in para 7.1 above, then if any show cause notice(s) is issued subsequently on the same issue to some other noticee(s) having PAN(s) different from the PANs of the noticees included in the earlier show cause notice, the said later show cause notices is to be adjudicated,

(i) by the jurisdictional adjudicating authority of the noticee, if there is only one noticee (GSTIN) involved in the said later show cause notice; or

(ii) by the common adjudicating authority in accordance with the criteria mentioned in para 7.1 above as applicable independently based on the highest amount of tax demand in the said later show cause notice, if there are multiple noticees (GSTINs) involved in the said later show cause notice having principal place of business under the jurisdiction of multiple Central Tax Commissionerates.”

3. Further para 7.3 of the Circular No. 31/05/2018-GST dated 9th February, 2018 (as amended by Circular No. 169/01/2022-GST dated 12th March, 2022) is substituted as below:

“7.3 In respect of show cause notices issued by the officers of DGGI prior to Notification No. 27/2024-Central Tax dated 25th November, 2024 coming into effect, involving cases mentioned in para 7.1 read with para 7.1.1 above and where no adjudication order has been issued upto 30th November, 2024, the same may be made answerable to the Additional/Joint Commissioners of Central Tax, having All India jurisdiction, in accordance with the criteria mentioned in para 7.1 read with para 7.1.1 above, by issuing corrigendum to such show cause notices.”

4. It is requested that suitable trade notices may be issued to publicize the contents of this circular.

5. Difficulty, if any, in implementation of the above instructions may please be brought to the notice of the Board.

[For further details please refer the Circular]

ADVISORY

MANDATORY SEQUENTIAL FILING OF GSTR-7 RETURNS AS PER NOTIFICATION NO. 17/2024

OUR COMMENTS: GSTN vide advisory dated 27.11.2024 has advised that Multiple tickets have been received regarding sequential filing of return in Form GSTR-7. Taxpayers are referencing FAQs for the same, wherein “it is not mandatory” is mentioned.

GST

To clarify, it is to inform that following changes have been introduced in the return filing process for GSTR-7 with effect from 01.11.2024 onwards.

Sequential Filing of GSTR-7:

As per Notification No. 17/2024-Central Tax, dated 27th September 2024, effective from the 01.11.2024, GSTR-7 filing has been made sequential from the October tax period. Hence, GSTR-7 return is to be filed in chronological order, beginning with the return period of October 2024. It is pertinent to mention that for a month in which no deduction has been made, deductors need to file Nil return for the same month.

[For further details please refer the detailed advisory]

ADVISORY

E-INVOICE GLOSSARY AND STEPS

OUR COMMENTS: GSTN vide advisory dated 27.11.2024 has advised that GSTN has prepared an informative resource in the form of an e-invoice glossary and a step-by-step guide for your reference.

You can access and download the PDF document

[For further details please refer the detailed advisory]

FEMA

CASE LAW

DIRECTORATE OF ENFORCEMENT VERSUS P.C. FINANCIAL SERVICES PRIVATE LIMITED AND 3 OTHERS: TELANGANA HIGH COURT

OUR COMMENTS: Legality and validity of the seizure orders – It has been held that the facts of the case reveal that before the learned Single Judge, though a prayer for quashment of seizure orders dated 26.08.2021, 30.09.2021 and 15.12.2021 was made, an interlocutory application was preferred for release of ₹ 15,35,45,317/- and the learned Single Judge has allowed the application. The writ petition itself has been disposed of by the impugned order dated 11.02.2022.

In the considered opinion of this Court, once the seizure orders were not set aside and no statutory provision was brought to the notice of the learned Single Judge for release of such amount and the seizure orders have been affirmed by the competent authority under Section 37A (2) of the Act, no such provisional release could have been ordered by disposing of the writ petition itself.

Learned counsel for the Union of India has also brought to the notice of this Court the press release issued by the Reserve Bank of India dated 24.02.2022 and the same reflects that even the banking licence of the respondent No.1/writ petitioner has been cancelled.

It has been argued by the learned counsel appearing for respondent No.1/writ petitioner that earlier also a sum of ₹ 9.68 crores was released for payment of salary and other dues and a utilization certificate was also filed. He has stated that the order of release of ₹ 15,35,45,317/- has been passed to ensure that salary is paid to the employees of the company.

The Officer present in the Court, Sri Ahbishek Goyal, IPS, appearing for the appellant has informed this Court that at no point of time such an amount was released by the Enforcement Directorate (ED) and, in fact, the aforesaid amount of ₹ 9.68 crores was never seized by the ED.

Therefore, the question of releasing the same does not arise. He has categorically stated that not a single rupee has been released in the matter so far out of ₹ 270.00 crores attached by the ED. It has been further clarified that the amount of ₹ 9.68 crores was lying in the bank account of the respondent No.1/writ petitioner and the bank was permitted by the ED to disburse the aforesaid amount. He has further stated that it is

not a case where the amount was seized and later on released by the ED.

However, as this Court is not dealing with the cancellation of licence, no comment has been offered in respect of such cancellation. Learned counsel for the respondent No.1/writ petitioner has stated that he does not have a copy of the aforesaid order and he is not aware of the same.

Section 37A of the Act provides for a remedy of appeal and therefore, as now an order dated 04.02.2022 is in existence, the respondent No.1/writ petitioner shall certainly be free to prefer an appeal or to avail the other remedies available under the law. Resultantly, the order passed by the learned Single Judge is set aside and the writ appeal stands allowed.

CUSTOMS

NOTIFICATION

SEEKS TO RESCIND NOTIFICATION NO. 32/2022-CUSTOMS DATED 30TH JUNE, 2022.- IT WAS EXEMPTING IMPORTS OF PETROLEUM CRUDE AND ATF FROM WHOLE OF THE ADDITIONAL DUTY OF CUSTOMS AS IS EQUIVALENT TO THE SPECIAL ADDITIONAL EXCISE DUTY LEVIABLE THEREON UNDER SECTION 147 OF THE FINANCE ACT, 2002

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide NOTIFICATION NO. 48/2024-CUSTOMS dated 03.12.2024 notified that In exercise of the powers conferred by sub-section (1) of section 25 of Customs Act, 1962 (52 of 1962) read with Section 21 of General Clauses Act, 1897 (10 of 1897) and Section 147 of Finance Act, 2002 (20 of 2002), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby rescinds the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 32/2022-Customs, dated 30th June, 2022 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 500(E), dated 30th June, 2022, except as respects things done or omitted to be done before such rescission.

2. This notification shall come into force with immediate effect.

[For further details please refer the notification]

NOTIFICATION

SEEKS TO IMPOSE ANTI-DUMPING DUTY ON IMPORTS OF "TEXTURED TEMPERED COATED AND UNCOATED GLASS " FALLING UNDER TARIFF HEADINGS 7003, 7005, 7007, 7016, 7020 AND 8541 ORIGINATING IN OR EXPORTED FROM CHINA PR OR VIETNAM FOR A PERIOD OF 6 MONTHS

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Notification No. 26/2024-Customs (ADD) dated 04.12.2024 notified Whereas, in the matter of "Textured Tempered Coated and Uncoated Glass" (hereinafter referred to as the subject goods), falling under tariff headings 7003, 7005, 7007, 7016, 7020 and 8541 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from China PR and Vietnam (hereinafter referred to as the subject countries) and imported into India, the designated authority in its preliminary findings vide Notification No. 6/29/2023-DGTR, dated the 5th November, 2024, published in the Gazette of India,

Extraordinary, Part I, Section 1, dated the 5th November, 2024, has provisionally concluded that-

a) the subject goods that have been exported to India from the subject countries are at dumped prices;

b) there is substantial increase in imports of subject goods from the subject countries in both absolute terms and in relation to production and consumption;

c) the material injury suffered by the domestic industry has been caused by the dumped imports from the subject countries,

and has recommended imposition of provisional anti-dumping duty on imports of the subject goods, originating in, or exported from the subject countries and imported into India, in order to remove injury to the domestic industry.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 9A of the Customs Tariff Act read with rules 13 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under the tariff item of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), and imported into India, a provisional antidumping duty at the 1[rate equal to the difference between the landed value of subject goods and the amount specified as Duty amount in the corresponding entry in column (7), provided the landed value is less than the value indicated in column (7)], in the currency as specified in the corresponding entry in column (9) and as per unit of measurement as specified in the corresponding entry in column (8) of the said Table, namely:-

TABLE

S. No.	Tariff item	Description of goods	Country of origin	Country of exports	Producer	Duty amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

CUSTOMS

1	70071900	Textured Toughened (Tempered) Coated and Uncoated Glass	China PR	China PR	Shaanxi Topray Solar Co., Ltd	677	M T	USD
2	-do-	-do-	China PR	China PR	Anhui Flat Solar Glass Co., Ltd & Flat Glass Group Co., Ltd	677	M T	USD
3	-do-	-do-	China PR	China PR	Anhui CSG New Energy Material Technology Co., Ltd	677	M T	USD
4	-do-	-do-	China PR	China PR	Dongguan CSG Solar Glass Co., Ltd	673	M T	USD
5	-do-	-do-	China PR	China PR	Wujiang CSG Glass Co., Ltd	677	M T	USD
6	-do-	-do-	China PR	China PR	Guangxi Xinyi Photovoltaic Industry Co., Ltd / Xinyi PV	673	M T	USD

					Products (Anhui) Holdings Ltd. / Xinyi Solar (Suzhou) Ltd			
7	-do-	-do-	China PR	China PR	Zhangzhou Kibing Photovoltaic New Energy Technology Co., Ltd / Hunan Kibing Solar Technology Co., Ltd. / Ningbo Kibing Photovoltaic Technology Co., Ltd.	674	M T	USD
8	-do-	-do-	China PR	All countries, including China PR	Any Producer other than those mentioned in serial number 1 to 7	677	M T	USD

CUSTOMS

9	-do-	-do-	All countries other than China PR and Vietnam	China PR	Any	677	M T	USD
10	-do-	-do-	Vietnam	Vietnam	Flat (Vietnam) Co., Ltd	565	M T	USD
11	-do-	-do-	Vietnam	All countries including Vietnam	Any Producer other than those mentioned in serial number 10	565	M T	USD
12	-do-	-do-	All countries other than Vietnam and China PR	Vietnam	Any	565	M T	USD

determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Act.

[For further details please refer the notification]

The customs classification is only indicative and not binding on the scope of the product under consideration.

2. The provisional anti-dumping duty imposed under this notification shall be effective for a period of six months (unless revoked, amended or superseded earlier) from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

Explanation.-For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the

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NOTIFICATION

EXPORT OF BROKEN RICE TO SENEGAL AND GAMBIA THROUGH NATIONAL COOPERATIVE EXPORTS LIMITED (NCEL)

OUR COMMENTS: The Ministry of Commerce and Industry vide Notification no. 42/2024-25 dated 29.11.2024 notified that In exercise of powers conferred under Section 3 read with Section 5 of the Foreign Trade (Development & Regulation) Act, 1992, read with Para 1.02 and 2.01 of the Foreign Trade Policy, 2023, as amended from time to time, the Central Government hereby amends Notification No. 46 dated 30.11.2023 read with Notification No. 15/2024-25 dated 05.06.2024 for the export of Broken Rice to Senegal and Gambia through NCEL, as under: -

The time period for **Export of Broken Rice (ITC (HS) 10064000) through NCEL to Senegal and Gambia** for the quantity(s) notified vide Notification No. 46 dated 30.11.2023 read with Notification No. 15/2024-25 dated 05.06.2024 has been extended by 2 months up to **31st January 2025**.

Effect of the Notification: Time period for Export of Broken Rice to Senegal and Gambia through NCEL has been extended for 2 months up to 31st January 2025.

[For further details please refer the Notification]

TRADE NOTICE

LAUNCH OF REVAMPED PREFERENTIAL CERTIFICATE OF ORIGIN (ECOO) 2.0 SYSTEM

OUR COMMENTS: The Ministry of Commerce and Industry vide Trade Notice no. 23/2024-25 dated 06.12.2024 notified that Reference is drawn to Trade Notice No. 13/2023-24 dated 16th August 2024, wherein this Directorate introduced the enhanced Non-Preferential Certificate of Origin (eCoO) system on the eCoO 2.0 platform. In addition to this, it is hereby informed that enhanced version of the Preferential Certificate of Origin (eCoO) system - **eCoO 2.0** - is scheduled for launch. This upgraded system offers several new and user-friendly features aimed at streamlining the certification process for exporters. Some notable features of the revamped eCoO 2.0 system include:

I. Multi-User Access: Exporters can now assign multiple users/applicants under a single Importer Exporter Code (IEC).

II. E-Signature Options: In addition to the digital signature token, Aadhaar-based e-signing would be available.

III. Integrated Dashboard: A common platform will provide seamless access to eCoO and other related services such as Free Trade Agreement (FTA) information, trade events, and more.

IV. Cost Sheet Digitization: Enhanced digitization facilitates easier preparation and submission of cost sheets.

The eCoO 2.0 system is hosted on the following web-domain:
<https://trade.gov.in>

2. Key Dates for Implementation:

I. Filing of Preferential Certificates: Exporters may begin filing Preferential Certificates of Origin through the new system with issuing agencies starting from 21.12.2024.

II. Migration of All Data: All data, including non-preferential and preferential CoO, as well as e-wallet balances, will be migrated from the legacy platform to the new eCoO 2.0 platform. This migration will take place shortly after the successful stabilisation of the preferential CoO workflow and will be notified separately.

3. Specific points for attention of the Issuing Agencies are as follows:

I. For the Issuing Agency Administrator Account:

i. All authorized issuing agencies are required to designate an administrator for online user management and office management functionalities. The administrator shall register on the eCoO 2.0 system by navigating to the eCoO 2.0 system website → Register and select 'Register User As' - 'CoO Authorized Agency'. Then, select the concerned issuing agency and the role (Administrator) and attach the authorisation letter. The administrator user shall attach the authorisation letter on the issuing agency's letterhead along with their official email as recorded with DGFT.

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ii. After successful activation of their account, the administrator shall add their regional office(s) details navigating to: My Dashboard → Office Management → Add office details.

iii. The Administrator shall ensure that the payment gateway parameters (Merchant ID and Checksum) are accurately mapped without any spaces or extra characters. Mistakes such as incorrect entries or leaving these fields blank may result in a error for exporters. It is essential to enter the Merchant ID and Checksum correctly and ensure these fields are not left empty.

iv. The agency administrator can enable the e-wallet facility for their specific offices while adding offices details using the office management tab under the "My Dashboard" section.

v. As a one-time exercise, upload images of the stamps for all regional offices under My Dashboard → Office Management.

vi. As a one-time exercise, upload images of all Issuing Officers' signatures under My Dashboard → User Management.

vii. Administrators must ensure to remove the background from the stamp and signature images before uploading.

viii. Agencies may Activate, deactivate, or map issuing officers to respective offices through the User Management tab under My Dashboard.

II. For the Agency/Chamber Officer Account:

i. All issuing officers are required to register by navigating to the eCoO system website → Register, selecting 'Register User As' - 'CoO Authorized Agency', choosing the issuing agency, selecting the regional office, and then selecting the role (Officer). This request shall be assigned to the respective Issuing agency's Administrator for approval and shall be visible under My Dashboard → User Management to Agency Administrator.

ii. Issuing officers must use only their official email address for registration.

iii. Issuing officers must register their digital token key under My Dashboard → Register Digital Signature Certificate to enable them to digitally sign the eCoOs.

4. Specific points for managing the given transition is submitted for attention of concerned exporters and issuing agencies as follows—

I. Issuing Agencies shall process all pending Preferential Certificate of Origin (CoO) applications submitted up to 20.12.2024 in the legacy eCoO 1.0 system (<https://coo.dgft.gov.in>). Agencies shall continue to handle subsequent actions on these applications in the existing platform after 20.12.2024. For e.g. application for in-lieu CoO applied against a Preferential eCoO issued on from the legacy eCoO1.0 system shall be filed on the legacy 1.0 system even after 21.12.2024. Submission of new Preferential CoO applications in the legacy system shall however be stopped with effect from 21.12.2024.

II. All new Preferential CoO applications on or after 21.12.2024 shall be filed on the revamped eCoO 2.0 system (<https://trade.gov.in>).

III. The exporters' login credentials as created on the DGFT website (<https://dgft.gov.in>) shall also work on the revamped eCoO 2.0 system. There is no need for the exporter to create new accounts on this eCoO 2.0 system. However, if any additional exporter accounts are required, the same may be created on the DGFT Website. All exporter accounts created on the DGFT Website shall be automatically synced with the eCoO 2.0 user accounts.

IV. In case any exporters are not registered on DGFT Website, they would be required to register on DGFT Website and link their email to their IEC as per the defined processes. Please refer to the Application Help & FAQs section on DGFT Website → Learn (<https://www.dgft.gov.in/CP/?opt=application-help>) for more details.

V. Any updates to the exporter's basic details, such as registered address, branch details, and GSTIN, shall be made on <https://dgft.gov.in> by Modify Your IEC. The updated details will automatically populate on the new platform.

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5. E-Wallet Facility on eCoO 2.0– The E-Wallet facility has also been implemented on the new eCoO 2.0 system and is managed by the agency administrator at the office level. However, the e-Wallet amount in the legacy system shall be transferred/migrated to the new platform following the stabilisation of the preferential CoO process. A separate notification will be issued regarding this transfer.

6. Verification of eCoO: Validation/Verification of the CoO can be performed using the following methods:

I. The system allows officers to get CoO authentication from the eCoO 2.0 Platform itself. The officers need not to enter credentials; rather it can be checked pre-login. Steps to be followed by officers: Go to eCoO 2.0 website (<https://trade.gov.in>) → Home Page → Get Certificate of Origin Tab → Click on Verify Certificate → Enter CoO Certificate Number → enter capture code → Click on Verify Certificate → All the details in the CoO certificate will be shown on the screen.

II. By scanning the QR code provided on the issued CoO certificate.

Note: The validation and verification of the Certificate of Origin (CoO) issued earlier from the legacy platform (i.e., <https://coo.dgft.gov.in>) will continue to follow the existing process.

7. Outreach & Awareness: The revamped eCoO2.0 User Guide and Frequently Asked Questions (FAQs) will be available on <https://trade.gov.in> → Get certificate of origin section. Additionally, DGFT/Authorised Agency will organize Exporter Outreach Programs to demonstrate and raise awareness about the revamped eCoO facility. A separate intimation for the same will be done by authorised agency.

8. Support Channels: Exporters and stakeholders may contact the CoO Helpdesk for eCoO-related issues, suggestions, or feedback through the following channels –

Toll-Free Helpline: You may contact the DGFT Helpdesk through our toll-free numbers for support: 011-23061495/011-23061499 (Monday to Friday)

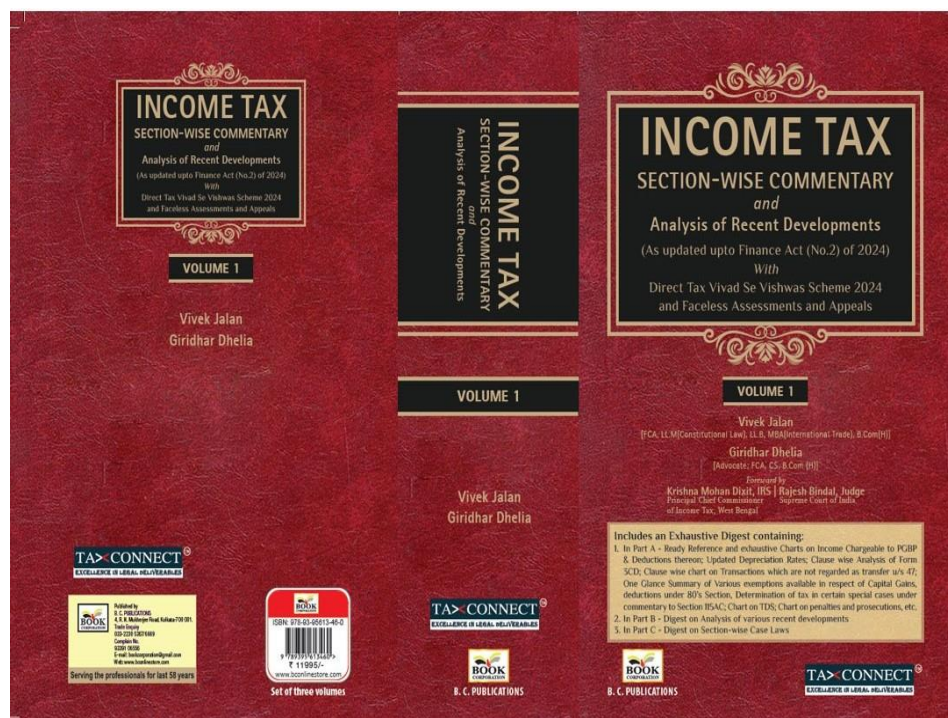
Email Inquiries: For clarifications or further assistance, please email the CoO Helpdesk at coo-dgft@gov.in

This notice is issued with the approval of competent authority.

[For further details please refer the Trade Notice]

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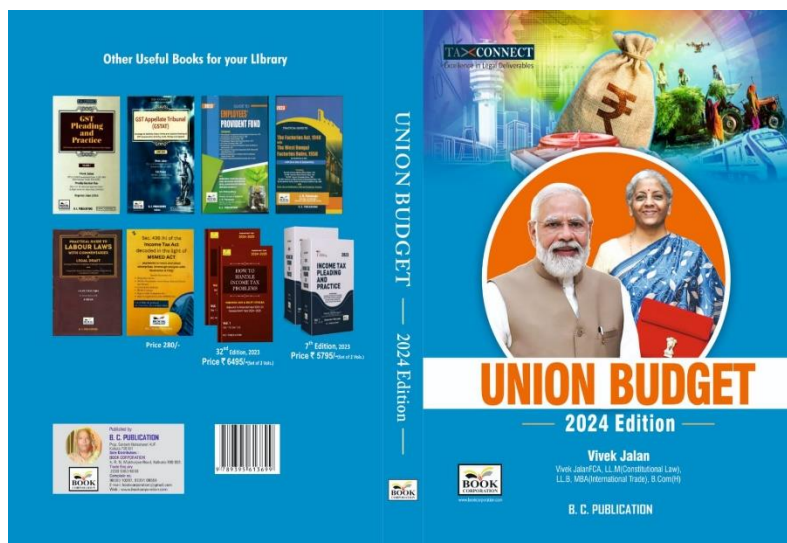
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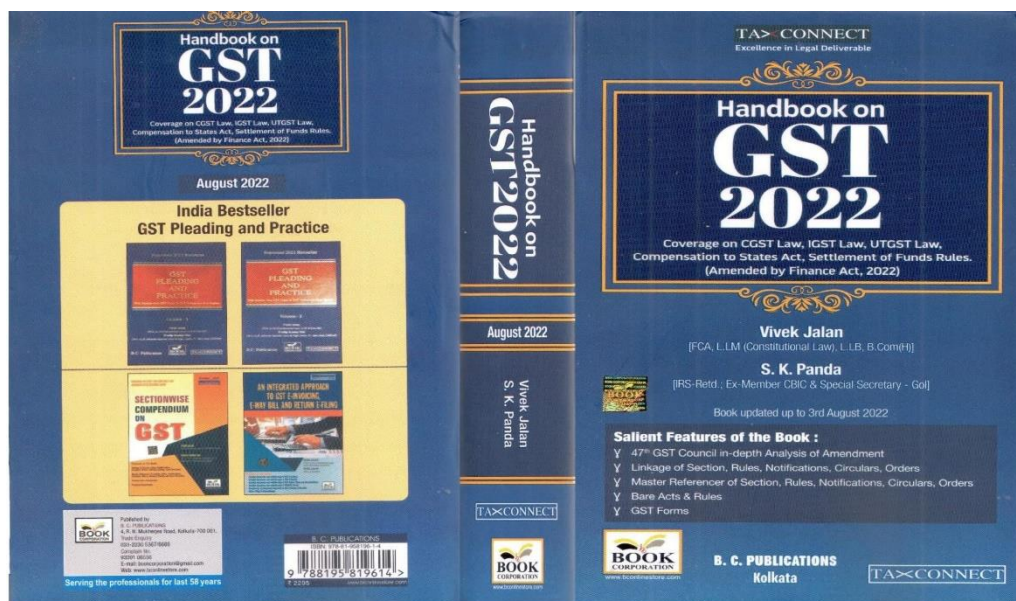
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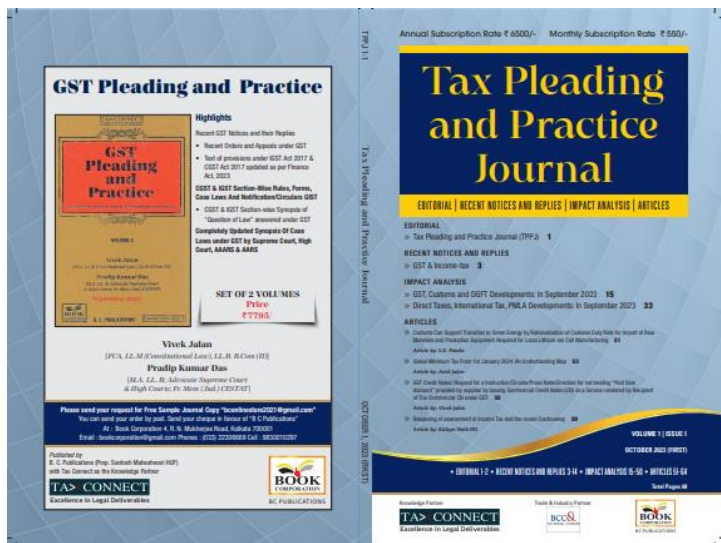
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