

PUBLIC NOTICE No. - 42/2021
DIN - 20210578NW00000D0CB

Subject: Ad hoc Exemption No. 04/2021-Customs valid till 30.06.2021 from IGST on imports of certain COVID-19 relief material authorized by State Governments subject to specified conditions- reg.

Kind attention of Importers/Custom Brokers and other stakeholders is drawn to the Central Government Ad hoc exemption order No. 04/2021-Customs dated 03.05.2021 (Annexure- A) and CBIC Instruction No. 09/2021-Customs dated 03.05.2021 (Annexure- B).

2. The Ad hoc exemption from IGST is provided to certain goods when received free of cost for free distribution anywhere in India for COVID relief. The said goods are to be imported free of cost for purpose of COVID relief by a State Government or, any entity/relief agency/statutory body, authorized in this regard by the Nodal Authority appointed by State Government for the purpose of this exemption, for free distribution in India for purpose of COVID relief. As per CGST Act, 2017, State includes a Union Territory with Legislature.

3. The Ad hoc exemption is applicable only to goods specified in Notification No. 27/2021-Customs, as amended by No. 29/2021-Customs (Annexure-C) and No. 28/2021-Customs (Annexure- D).

4. At the time of import, the importer shall, before clearance of goods from Customs, produce a Certificate in the prescribed format (Annexure-E) from the above referred Nodal Authority.

5. Shri Dipin Singla, Additional Commissioner of Customs, JNCH (Tel- 9711105944, Email: adcccu-jnch@gov.in) is the Nodal Officer for imports of such relief materials at Nhava Sheva (INNSA1). The relevant importer authorized by the Nodal Authority/such importer's Custom Broker may approach the Nodal Officer for any assistance and the Nodal Officer shall coordinate the ground level facilitation as necessary in the relevant case for the purpose of import. In addition, all the Customs officers and staff concerned in the dealing with such imports including in the Assessing Groups, Docks, RMSFC, TSK, etc. shall ensure seamless clearance without loss of time and would, for this purpose also coordinate as necessary with other stakeholders. This shall be a Standing Order for the officers and staff of Customs.

This issues with the concurrent approval of Pr. Commissioner/Commissioners NS-Gen, I, III and V.

sd

(U. Niranjan)

Pr. Commissioner of Customs

Copy to:

1. Chief Commissioner of Customs, Nhava Sheva
2. Pr. Commissioner/Commissioner NS-G/NS-I/NS-II/NS-III/NS-Audit /NS-V, Nhava Sheva
3. Additional/Joint/Dy./Asstt. Commissioners of Customs, Nhava Sheva
4. Sections/Groups/Docks/TSK/RMSFC Nhava Sheva
5. Partner Government Agencies (PGAs)
6. Members of the Trade (MANSA, CSLA, CFSAI, etc.) as per mailing list
7. Custom Brokers - BCBA/WISA for appropriate action
8. AC/DC, EDI for uploading on JNCH website

ANNEXURE - A

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Ad hoc Exemption Order No. 4/2021-Customs

New Delhi, the 3rd May, 2021

G.S.R. (E)...- In exercise of the powers conferred by sub-section (2) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, under exceptional circumstances prevailing due to the COVID-19 pandemic, on being satisfied that it is necessary in the public interest so to do, hereby exempts the goods of the description as specified in the notifications listed in the Appendix below, falling within the Chapter, heading, sub-heading or tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) as specified in the said notifications, when imported into India, from the whole of the integrated tax leviable thereon under sub-section (7) of section 3 of the said Customs Tariff Act, read with section 5 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), subject to the conditions specified in the Annexure to this exemption order.

2. This exemption order shall remain in force upto and inclusive of the 30th day of June, 2021 and shall also apply to goods which are pending for clearance on the date of issue of this order.

Appendix

S.No.	Notification
1.	Notification No. 27/2021-Customs, dated the 20 th April, 2021 [G.S.R. 284(E), dated the 20 th April, 2021]
2.	Notification No. 28/2021-Customs, dated the 24 th April, 2021 [G.S.R. 286(E), dated the 24 th April, 2021]

Annexure

Condition No.	Condition
1.	The said goods are imported free of cost for the purpose of Covid relief by a State Government or, any entity, relief agency or statutory body, authorised in this regard by any State Government.

2.	The said goods are received from abroad for free distribution in India for the purpose of Covid relief.
3.	Before clearance of the goods, the importer produces to the Deputy or Assistant Commissioner of Customs, as the case may be, a certificate from a nodal authority, appointed by a State Government, that the imported goods are meant for free distribution for Covid relief, by the State Government, or the entity, relief agency or statutory body, as specified in such certificate.
4.	The importer produces before the Deputy or Assistant Commissioner of Customs, as the case may be, at the port of import within a period of six months from the date of importation, or within such extended period not exceeding nine months from the said date as that Deputy or Assistant Commissioner of Customs may allow, a statement containing details of goods distributed free of cost duly certified by the said nodal authority of the State Government.

[F.No. CBIC-190354/2/2021-TO(TRU-I)-CBEC]

Gaurav Singh
(Gaurav Singh)

Deputy Secretary to the Government of India

ANNEXURE - B

Instruction No. 09/2021-Customs

F. No. CBIC-190354/2/2021-TO (TRU-I)-CBEC

Ministry of Finance

Department of Revenue

Central Board of Indirect Taxes and Customs

(Tax Research Unit)

Room No. 146-J, North Block

New Delhi, dated 3rd May, 2021

To

All Principal Chief Commissioners/Chief Commissioners of Customs/Customs (Preventive),

All Principal Chief Commissioners/Chief Commissioners of Customs & Central tax,

All Principal Commissioners/Commissioners of Customs/Customs (Preventive),

All Principal Commissioners/Commissioners of Customs & Central tax,

All Principal Director Generals/Director Generals under CBIC.

Madam/Sir

Subject: Ad hoc Exemption from IGST on imports of specified COVID-19 relief material donated from abroad – regarding

Kind attention is drawn to the Ad hoc Exemption Order No. 4/2021-Customs, dated 3rd May, 2021 wherein exemption from IGST has been granted, in circumstances of exceptional nature, to goods specified in the following Customs notifications:

- i. 27/2021-Customs dated 20.04.21 (as amended by notification No.29/2021-Customs dated 30.4.21)
- ii. 28/2021-Customs dated 24.04.21,

when received free of cost for free distribution anywhere in India for COVID relief.

2. This exemption shall be subject to the following conditions specified therein:

(i) State Government shall appoint a nodal authority in the State for the purpose of this exemption. As per section 2 (103) of the Central Goods and Services Tax Act, 2017, state include a Union territory with Legislature.

(ii) The Nodal authority so appointed shall authorise any entity, relief agency or statutory body, for free distribution of such Covid-relief material.

(iii). The said goods can be imported free of cost by a State Government or, any entity/ relief agency/ statutory body, authorized in this regard for free distribution anywhere in India.

(iv) The importer shall before clearance of goods from Customs produce a certificate from the said nodal authorities that goods are meant for free distribution for Covid relief.

(v) After imports, the importer shall produce, to the Deputy or Assistant Commissioner of Customs at the port within a period of six months from the date of importation or within such extended period not exceeding nine months, a simple statement containing details of goods imported and distributed free of cost. This statement shall be certified by the said nodal authority of the State Government.

3. Field formations may take special note that the exemption order shall apply to all the such consignments pending clearance from Customs as on date of issue of order, i.e., the 3rd May, 2021.

4. Revenue Secretary has also written to all the Chief Secretaries for creation of a State/Union Territory Nodal Agency for taking immediate action for the purpose of imports of such relief material. The State Governments, importers, relief agencies, may approach the customs formation in case they face any difficulty. Chief Commissioners may suitably sensitize the Nodal officers already appointed in their formation for facilitating the expeditious clearance of COVID-relief material so that they are aware of this exemption and deal pro-actively with issues, if any, in their smooth clearance.

5. A large number of such consignments are anticipated to arrive in the coming days and certain consignments may be pending for clearance as on date. The customs formation, may proactively, take action for speedy clearance of such consignments. It is requested that necessary instructions be issued to the assessing officers to clear all such Covid-19 relief material expeditiously. Also, field formation make every possible effort to work in close coordination with the State Authorities.

6. In case of any difficulty, in implementing the order, the field formations may approach the Joint Secretary (TRU-1) or other officers on email gd.lohani@nic.in, gaurav.singh80@nic.in, or swasif.haider@gov.in.

7. Hindi version will follow.

(Gaurav Singh)
Deputy Secretary (TRU-I)

ANNEXURE - C

[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 No. 27/2021- Customs

New Delhi, the 20th April, 2021

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), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts the goods of the description specified in column (3) of the Table below, falling within the Chapter, heading, sub-heading or tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) specified in column (2) of the said Table, when imported into India, from the whole of the duty of customs leviable thereon under the said First Schedule, namely-

Table

S.No.	Chapter or heading or sub-heading or tariff item	Description of goods
(1)	(2)	(3)
1.	29	Remdesivir Active Pharmaceutical Ingredients.
2.	29	Beta Cyclodextrin (SBEB CD) used in manufacture of Remdesivir, subject to the condition that the importer follows the procedure set out in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017.
3.	30	Injection Remdesivir.

2. This notification shall remain in force upto and inclusive of the 31st October, 2021.

[F.No. 354/3/2021-TRU]

(Gaurav Singh)
Deputy Secretary to the Government of India

[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 No. 29/2021-Customs

New Delhi, the 30th April, 2021

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), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 27/2021-Customs, dated the 20th April, 2021, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 284(E), dated the 20th April, 2021, namely:-

In the said notification, in the Table, after S.No.3 and the entries relating thereto, the following S.No. and entries shall be inserted, namely:-

(1)	(2)	(3)
"4.	3822	Inflammatory Diagnostic (marker) kits, namely- IL6, D-Dimer, CRP(C-Reactive Protein), LDH (Lactate De-Hydrogenase), Ferritin, Pro Calcitonin (PCT) and blood gas reagents."

[F.No. 354/52/2021-TRU]

(Rajeev Ranjan)

Under Secretary to the Government of India

ANNEXURE - D

[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 No. 28/2021–Customs

New Delhi, the 24th April, 2021

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), read with section 141 of Finance Act, 2020 (12 of 2020), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts the goods of the description specified in column (3) of the Table below, falling within the Chapter, heading, sub-heading or tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) specified in column (2) of the said Table, when imported into India, from the whole of the duty of customs leviable thereon under the said First Schedule and the whole of health cess leviable thereon under section 141 of the said Finance Act, namely-

Table

S.No.	Chapter, heading, sub-heading or tariff item	Description
(1)	(2)	(3)
1.	9019 20, 9804	Oxygen concentrator including flow meter, regulator, connectors and tubings.
2.	2804 40	Medical Oxygen
3.	8421 39	Vacuum Pressure Swing Absorption (VPSA) and Pressure Swing Absorption (PSA) oxygen plants, Cryogenic oxygen Air Separation Units (ASUs) producing liquid/gaseous oxygen.
4.	7311	Oxygen canister.
5.	9018	Oxygen filling systems.
6.	7311	Oxygen storage tanks
7.	9018	Oxygen generator
8.	7311	ISO containers for Shipping Oxygen
9.	7311, 8418 or 8419	Cryogenic road transport tanks for Oxygen
10.	7311, 8418 or 8419	Oxygen cylinders including cryogenic cylinders and tanks
11.	Any Chapter	Parts of goods at S.No.1 and 3 to 10 above, used in the manufacture of equipment related to the production,

		transportation, distribution or storage of Oxygen, subject to the condition that the importer follows the procedure set out in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017.
12.	9019	Any other device from which oxygen can be generated
13.	9018 or 9019	Ventilators, including ventilator with compressors; all accessories and tubings; humidifiers; viral filters (should be able to function as high flow device and come with nasal canula).
14.	9018	High flow nasal canula device with all attachments; nasal canula for use with the device.
15.	6506 99 00	Helmets for use with non-invasive ventilation.
16.	9019	Non-invasive ventilation oronasal masks for ICU ventilators.
17.	9019	Non-invasive ventilation nasal masks for ICU ventilators.
18.	3002	COVID-19 vaccine.

2. This notification shall remain in force upto and inclusive of the 31st July, 2021.

[F.No. 354/3/2021-TRU]

(Gaurav Singh)
Deputy Secretary to the Government of India

ANNEXURE - E

On the official stationery of any nodal authority appointed by a State Government

To,

The Commissioner of Customs.....

This is to certify the M/s, [address], has been authorised as the relief agency for free distribution of covid relief material received free of cost from outside India availing the exemption from IGST under the customs adhoc exemption order 4/2021-Cus, date the 3rd May, 2021.

The said M/s shall import covid relief supply free of cost for free distribution in India as per details in the Annexure (attached), at..... Customs Station. Exemption from IGST is recommended for such imports by M/s..... under the said adhoc exemption order.

The relief agency shall provide the details of items so imported and distributed free of cost to the Deputy/Assistant Commissioner of Customs at the Port/Airport of import within the period prescribed in the said order, after due certification by this authority.

Annexure

1. Country of exports:
2. Exporters details
3. Items

S. No.	Description of goods with specification	of with	Customs-Tariff heading/sub-heading	Quantity

[Signatures]

with official seal