

Circular No. 15/2021-Customs

F. No. CBIC-140602/1/2021-O/o Dir(Drawback)-CBEC

भारत सरकार / Government of India

वित्त मंत्रालय / Ministry of Finance

राजस्वविभाग / Department of Revenue

केंद्रीय अप्रत्यक्ष कर एवं सीमाशुल्क बोर्ड / Central Board of Indirect Taxes & Customs

प्रतिअदायगी प्रभाग / Drawback Division

4th Floor, Jeevandeep Building,
Sansad Marg, New Delhi – 110001

Dated 15th July, 2021

To,

All Principal Chief Commissioners/Chief Commissioners of Customs/
Customs (Preventive)/ CGST & Customs and
All Principal Directors General/ Directors General under CBIC

Madam/Sir,

Subject: Implementation of RMS for processing of Duty Drawback claims

Risk Management System (RMS) in export was introduced with effect from 15.7.2013. In this regard, Board's Circular No. 23/2013-Customs dated 24.06.2013 refers. It had been decided at that time to implement RMS in export in two phases. In the first phase of implementation, RMS processed the data and provided output to ICES up to goods examination stage. Export RMS thus allowed low risk consignments to be cleared based on self-assessment of the declarations by exporters.

2. In the second phase, which is now being taken up, RMS will process the shipping bill data after the Export General Manifest (EGM) is filed electronically and will provide required output to ICES for selection of shipping bills for risk-based processing of duty drawback claims.

3. It is to inform that the above-referred risk-based processing of shipping bills with claim of duty drawback is being initiated with effect from 26.07.2021. In this regard, Systems Directorate and NCTC have made requisite system-based changes for its implementation. In this phase, shipping bills with claim for duty drawback will be routed on the basis of risk evaluation through appropriate selection criteria. For this purpose, after the filing of correct and complete EGM, shipping bills will be sent by ICES to RMS. Subsequent to RMS treatment, ICES will be informed for each shipping bill whether for the processing of the drawback claim, a particular shipping bill will be facilitated without intervention or will be routed to the proper officer (i.e. Superintendent/Appraising Officer or Assistant/Deputy

Commissioner as per the threshold amount specified in Circular No. 17/2000-Cus dated 29.02.2000) for further action. For shipping bills routed to the said Customs officers for drawback processing, all necessary checks shall continue to be undertaken by the Customs officers as before. The extant procedure for payment of the duty drawback amount into the exporters' account will also remain unchanged.

4. In this context, Systems Directorate have informed that certain documents that may be required to accompany the drawback claim in terms of rule 14 of the Customs and Central Excise Duties Drawback Rules, 2017 can be attached to the shipping bill electronically on e-Sanchit with the required e-Sanchit document codes.

5. The second phase of export RMS also envisages post clearance audit (PCA) of the duty drawback shipping bills. The development of an electronic module for PCA of such shipping bills is underway in the Systems Directorate. Till such time the electronic PCA module is implemented, the current instructions for audit, as stipulated in the Manual for Customs Post Clearance Audit, 2018 shall continue to be followed. In other words, Customs audit Commissionerates wherever in place, and Customs executive Commissionerates entrusted with audit functions, shall devise suitable criteria to manually select the aforementioned duty drawback shipping bills for carrying out the transactional PCA, under the overall guidance and monitoring of Director General of Audit along with the jurisdictional Chief Commissioner. A suitable report in the ICES has been put in place by Systems Directorate to enable the field formations to view the list of shipping bills where claims have been facilitated.

6. A phased approach is being adopted for extending the risk-based processing of duty drawback shipping bills. NCTC will monitor and review the facilitation of duty drawback shipping bills and take required measures to enhance the facilitation levels in due course. The above measure is expected to reduce the processing time taken for drawback claims, enable quick disbursal to exporters and rationalise the Customs' workload.

7. The contents of this Circular may be given wide publicity. Any difficulties faced in the implementation of this Circular and any other concern in the instant matter may please be brought to the notice of the Board.

Yours faithfully,

Hasan Ahmed

(Hasan Ahmed)

Under Secretary (Drawback)

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