

Relief to Exporters on export of goods with payment of taxes

Exporters of goods when exporting goods with payment of tax (GST - IGST), they are eligible to claim the refund of taxes (IGST) paid at the time of exports of goods. This payment of taxes can be **discharged either by utilizing input tax credits unutilized in their electronic credit ledger** or **by utilizing amount un-utilized in their electronic cash ledger**.

Exporters have to file their periodical returns as prescribed under GST Law viz. GSTR-1 and GSTR-3B and then details submitted to the GSTIN portal will be passed / migrated to the Customs Department for release of the taxes paid at the time of exports of goods on the basis of Shipping bills generated by the Customs Department. Automated System of Custom Department [ICEGATE] will verify the details submitted in GST returns with Shipping Bills and other data available with them, and if these details completely match, then refund of taxes would be credited into the bank account of exporters. However, exporters are committing mistakes while filing details at the time of filing periodic returns viz. GSTR-1 and GSTR-3B.

It was observed that there are still numerous Shipping Bills having invoice mismatches between the GST returns data and the custom data presented along with the Shipping Bills resulting in error. This error is terms as SB005 error. This results in blocking of the IGST refund disbursal, which is otherwise fully automated, except for the refund scroll generation.

CBIC (Board) had already issued instructions and clarifications in this matter by issuance of circulars 08/2018 – Customs, dated 23-03-2018, 15/2018 – Customs, dated 06-06-2018, 22/2018 – Customs dated 18-07-2018, 40/2018 –Customs dated 24-10-2018 and 26/2019 – Customs dated 27-08-2019.

The matter has been re-examined. Considering that the entire country is facing unprecedented challenges due to the COVID 19 pandemic, and that the exporters are facing genuine hard-ships due to the SB005 errors, it has now been decided to extend the facility of SB005 error correction in the Customs EDI system for Shipping Bills with date up to 31.12.2019 by issuance of Circular No. 22/2020 – Customs, dated 21-04-2020.

Disclaimer: The contents of this document are solely for informational purpose. It does not constitute professional advice or recommendation of firm. Neither the authors nor firm and its affiliates accepts any liabilities for any loss or damage of any kind arising out of any information in this document nor for any actions taken in reliance thereon. Readers are advised to consult the professional for understanding applicability of this article in the respective scenarios. While due care has been taken in preparing this document, the existence of mistakes and omissions herein is not ruled out. No part of this document should be distributed or copied (except for personal, non-commercial use) without our written permission.

Mehta & Shah

Chartered Accountants

Office No. 23 & 24 | Mezzanine Floor | Satyam Shopping Centre | M. G. Road | Ghatkopar (East) Mumbai – 400 077 | +91 22 2102 4560 | +91 22 4176 4411 | Email: info@mehtanshah.com