

[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. 31/2015-Customs

New Delhi, the 7th May, 2015

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 being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 12/2012-Customs, dated the 17th March, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.185 (E), dated the 17th March, 2012, namely:-

In the said notification,-

(a) in the Table, after serial number 139A and the entries relating thereto, the following serial number and the entries shall be inserted, namely :-

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|-------|---------------------------|---|-----|---|-------|
| “139B | 2711 11 00, 2711 21 00 | Liquefied natural gas (LNG) and natural gas (NG) when imported by GAIL for supply to a generating company as defined in clause (28) of section 2 of the Electricity Act, 2003 (36 of 2003) to supply electrical energy or to engage in the business of supplying electrical energy, for generation of electrical energy: Provided that the exemption shall not be available if such liquefied natural gas (LNG) and natural gas (NG), is used for generation of electrical energy by captive generating plant as defined in clause (8) of section 2 of the Electricity Act, 2003 (36 of 2003). | Nil | - | 102”; |
|-------|---------------------------|---|-----|---|-------|

(b) after the Table, in the proviso, after clause (bc), the following clause shall be inserted, namely:-

“(ca) the goods specified against serial number 139B of the said Table on or after the 1st day of April 2017;
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(c) in the ANNEXURE, after condition number 101 and the entries relating thereto, the following shall be inserted, namely:-

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| “102 | <p>If,-</p> <p>(i) the importer furnishes a self-declaration at the time of import to the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, indicating the quantity of LNG being imported for supply as Regasified Liquefied natural gas (RLNG) to generating companies as defined in clause (28) of section 2 of Electricity Act 2003;</p> <p>(ii) the importer produces the invoice for sale of RLNG to the generating companies before the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, within a period of three months from the date of import, or such extended period not exceeding a further period of six months as the Commissioner of Customs may allow;</p> <p>(iii) the importer also produces utilisation certificates from the generating companies to the effect that the RLNG has been utilised for generating and supplying electrical energy by the said generating companies before the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, and such utilisation certificates shall be produced within a period of three months from the date of import, or such extended period not exceeding a further period of six months as the Commissioner of Customs may allow;</p> <p>(iv) GAIL furnishes a corporate guarantee backed by it's Board resolution, of an amount equal to the difference between the Customs duty leviable on such goods but for the exemption contained therein and the duty levied at the time of import, to the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be;</p> <p>(v) the importer furnishes an undertaking to pay, on demand, in the event of his failure to comply with any of the aforesaid conditions, an amount equal to the difference between the Customs duty leviable on such goods but for the exemption contained therein and the duty levied at the time of import, along with the applicable interest thereon;</p> <p>(vi) the importer furnishes the invoices and utilisation certificates for a quantity greater than the quantity indicated in self-declaration furnished under (i) above, then the importer shall be allowed to adjust the duty paid on such additional quantity in the subsequent imports for which duty is otherwise payable.”.</p> |
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[F. No. 354/125/2014-TRU]

(Akshay Joshi)

Under Secretary to the Government of India

Note.- The principal notification No. 12/2012-Customs, dated the 17th March, 2012 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 185(E), dated the 17th March, 2012 and last amended by notification No. 28/2015-Customs, dated the 30th April, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R 338(E), dated the 30th April, 2015.