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Index

UPDATES	3
PART A: RECENT NOTIFICATIONS AND CIRCULARS.....	3
1. Exemption on import of Covid-19 relief materials	3
2. Reduction in IGST on import of Oxygen Concentrators for personal use	4
3. Special Refund and Drawback Disposal Drive	4
4. Extension of various time limits	5

UPDATES

PART A: RECENT NOTIFICATIONS AND CIRCULARS

1. Exemption on import of Covid-19 relief materials

The Central Government has exempted following goods and duties:

a) Basic Customs Duty ('BCD') on following items imported till **October 2021**:

- Remdesivir injection (*Chapter 30*)
- Remdesivir API (*Chapter 29*)
- Beta Cyclodextrin (SBEB CD) used in manufacture of Remdesivir (*Chapter 29*)
- IL6, D-Dimer, CRP, LDH, Ferritin, Pro Calcitonin (PCT) and Blood Gas Reagent Kits (*Heading 3822*)

(Notification No. 27/2021-Customs dated April 20, 2021 amended vide Notification No. 29/2021-Customs dated April 30, 2021)

b) BCD and Health Cess on following items imported till **July 2021**:

S. No.	Classification	Description
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, Oxygen Storage Tanks, ISO Containers for shipping Oxygen
5.	9018	Oxygen Filling Systems, Oxygen Generators, High Flow Nasal Canula Device with all attachments, Nasal Canula for use with device
6.	7311, 8418 or 8419	Cryogenic Road Transport Tanks for Oxygen, Oxygen Cylinders including Cryogenic Cylinders and Tanks
7.	Any Chapter	Parts of goods at S.No.1 and 3 to 6 above used in manufacture of Equipment related to production, transportation, distribution or storage of Oxygen
8.	9019	Any other Device from which Oxygen can be generated, Non-invasive Ventilation Nasal Masks for ICU Ventilators, Non-invasive Ventilation Oronasal Masks for ICU Ventilators
9.	9018 or 9019	Ventilators including Ventilator with Compressors, all Accessories and Tubings, Humidifiers, Viral Filters
10.	6506 99 00	Helmets for use with non-invasive ventilation
11.	3002	COVID-19 Vaccine

(Notification No. 28/2021-Customs dated April 24, 2021)

The Central Government has also exempted Integrated Tax (IGST) on import of abovementioned items [S. No. (a) and (b)] imported between **May 3, 2021** to **June 30, 2021** subject to satisfaction of following conditions:

- 1) Goods are imported free of cost ('FOC') for Covid-19 relief by State Government or any entity, relief agency or statutory body authorized by State Government
- 2) Goods are imported for free distribution and requisite certificate is obtained from Nodal Authority stating the same
- 3) Statement certified by Nodal Authority containing details of goods distributed FOC is furnished with customs within 6 months

(Ad-hoc Exemption Order No. 4/2021-Customs dated May 3, 2021)

***NITYA Comments:** As India is fighting 2nd wave of Covid-19 pandemic, it has received huge global support wherein many countries and organizations are gifting relief material to India. BCD and Health Cess was already exempted on Covid-19 related relief material in all situations. IGST on these items has also been exempted if imported by specified agencies on FOC basis.*

2. Reduction in IGST on import of Oxygen Concentrators for personal use

IGST on import of Oxygen Concentrators for personal use (Heading 9804) has been reduced from **28 percent** to **12 percent** till **June 2021**.

(Notification No. 30/2021-Customs dated May 1, 2021)

***NITYA Comments:** Sudden rise of Covid-19 cases has seen exponential increase in demand of Oxygen Concentrators for home isolation treatment. Accordingly, many Individuals are importing these goods for personal use. Reduction in IGST on these goods will reduce cost of these goods for public. Oxygen Concentrators otherwise imported already attract 12 percent IGST under Heading 9019.*

3. Special Refund and Drawback Disposal Drive

- The CBIC has initiated a 'Special Refund and Drawback Disposal Drive' for timely disposal of all refunds and duty drawback claims **pending as on May 14, 2021** to provide immediate relief to business entities for hardship caused to the taxpayers (specially MSME's) due to Covid-19 pandemic. All such claims shall be disposed-off **by May 31, 2021**.
- While processing refunds, department will undertake due diligence and process only valid refunds.
- All communication will be done over e-mail and deficiency memos will be reviewed on merits.

Instruction No.10/2021-Customs dated May 13, 2021

4. Extension of various time limits

a) GST law

- The Goods and Services Tax Network ('GSTN') has clarified that **GSTR-2B** for **April 2021** will be available on **May 29, 2021** due to extension in due dates of GSTR-1 and IFF for **April 2021**. Taxpayers are suggested to file GSTR-3B for April 2021 on self-assessment basis.

***NITYA Comments:** Due dates for filing GSTR-1 and IFF for **April 2021** have been extended to **May 26, 2021** and **May 28, 2021** respectively whereas due date for filing GSTR-3B for **April 2021** is **May 20, 2021** only (without any interest obligation). The clarification provides clear guidance to allow ITC availment on self-assessment basis for **April 2021** and taxpayers can perform cumulative reconciliation for **April 2021** and **May 2021** while filing GSTR-3B for **May 2021**.*

- GSTN has clarified that due date for filing 'Application for Revocation of Cancellation' stands extended till **May 31, 2021** (wherever due date falls between **April 15, 2021** to **May 30, 2021**) in terms of Notification No.14/2021-Central Tax dated May 1, 2021.

*[Refer: **Press Release** dated **May 17, 2021**]*

***NITYA Comments:** GST related extensions granted earlier, were covered in our previous bulletin, available at following link ([click here](#)).*

b) Special Economic Zone law

- Ministry of Commerce and Industry has extended due date for filing of following reports, forms etc. for SEZ units / developers / co-developers till **June 30, 2021**:

- Quarterly Progress Report (QPR);
- Annual Performance Report (APO);
- Extension of Letter of Approval (LoA) in certain cases; and
- SOFTEX Form (IT / ITes units)

*[Refer: **Direction No. K-43022/7/2020-SEZ** dated **May 7, 2021**]*

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