

## AEPC Circular No :- 147

**Dr. L.B. Singhal**  
**Ph.D., MBA, LLB, B.Sc.**  
**Secretary General, AEPC**

AEPC/HO/SG/R&PA/2022  
18.01.2023

Dear Members,

**Sub: Request for views/suggestions and data for review of All Industry Rates (AIR) of Duty Drawback for the year 2023**

The Government of India proposes to review the All Industry Rates (AIR) of Duty Drawback for the year 2023 with reference to the incidence of Custom and Central Excise duties on goods manufactured for exports. The Government of India has invited views/suggestions and data vide letter F. No. 609/33/2022-DBK/46-117 dated 09.01.2023 of the Drawback Division, CBIC, DoR, Ministry of Finance. For this purpose, the Government has constituted a Committee for determination of Duty Drawback Rates vide Order F. No. 609/33/2022-DBK dated 5.01.2023. **A copy of said order giving the details of the constitution of the Committee, details required to be submitted, and the format in which information and data is to be given is enclosed along with this Circular.**

2. To enable computation of appropriate Duty Drawback rates, the Drawback Division has sought suggestions/views and data relating to inputs (including packing materials) used in the manufacture of the relevant export products in the specified format. **The format is enclosed with this Circular as Annexure-II of the DoR letter for your kind ready reference.**

3. While providing the desired data, the members may exercise the following aspects cautiously:

(a) **Data provided should be complete for the export made during the period April 2022 to September 2022.** For a particular manufactured export item, the details of the inputs that are used in the manufacture of that particular export item should be indicated.

(b) **The incidence of duty should be furnished only for Customs duty on the inputs and Central Excise duty on petroleum products. The incidence of other taxes / duties such as IGST, CGST, SGST, Anti Dumping Duty, Safeguard Duty, Other States / UT Taxes etc are not included for calculation of total incidence of duties for the purpose of Duty Drawback Scheme.**

(c) Data submitted, to the extent possible, should be representative of the exports by the small, medium as well as large manufacturer exporters, for a particular product.

(d) **Data provided should be certified by the concerned manufacturers and their Chartered Accountants / Cost Accountants.**

(e) **The data should be supported by the relevant documents such as Bills of Entry of imported inputs, Shipping Bills of export product, relevant Central Excise invoices, etc.**

(f) **A copy of data submitted in Annexure – II should also be provided in MS Excel format.**

4. In addition to the above, views / suggestions, if any, for rationalization of entries in the AIR Drawback Schedule, including for those tariff items, where specific data has not been provided earlier, may also be provided with justification.

5. To enable us to send considered views/suggestions and data to the Ministry of Finance, you are requested to kindly send us your inputs in the prescribed format (Annexure-II of DoR letter is enclosed along with this Circular for your kind ready reference).

6. **Your valuable views/suggestions and data may please be e-mailed to us on [saurabh.kumar@aepecindia.com](mailto:saurabh.kumar@aepecindia.com) latest by 22<sup>nd</sup> January 2023.**

7. AEPC's Circulars are available on AEPC's Website [www.aepecindia.com](http://www.aepecindia.com)

8. This is for your information please.

With regards.

Yours sincerely,

Dr. L. B. Singhal

F.No. 609/33/2022-DBK  
Government of India  
Ministry of Finance, Department of Revenue  
Central Board of Indirect Taxes & Customs  
Drawback Division

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4<sup>th</sup> floor, Jeevandeep Building,  
Parliament Street,  
New Delhi - 110001

New Delhi, the 9<sup>th</sup> of January, 2023

To,

Export Promotion Councils/ Commodity Boards/ Trade and Industry Associations/Chambers of Commerce (as per list attached)

Madam/ Sir,

**Subject: Request for views/suggestions and data for review of All Industry Rates (AIR) of Duty Drawback for the year 2023**

The Government of India proposes to review the All Industry Rates (AIRs) of Duty Drawback for the year 2023 with reference to the incidence of Customs and Central Excise duties on goods manufactured for export. For this purpose, the Government of India has constituted a Committee for determination of Duty Drawback rates vide Order F. No. 609/33/2022-DBK dated 05.01.2023. A copy of the said order is appended at Annexure I.

2. To enable computation of appropriate Duty Drawback rates, Export Promotion Councils/ Commodity Boards/ Trade and Industry Associations/Chambers of Commerce are requested to provide data relating to inputs (including packing materials) used in the manufacture of the relevant export products in the format as specified in Annexure II.

3. In respect of products where multiple models are exported under the same CTH, some exporters in the past had expressed difficulties in furnishing data for each individual model in relation to input output ratios, etc. The earlier Duty Drawback Committee had also found it difficult to extend the Duty Drawback rate worked out on the basis of one particular model to all other models with widely varying price ranges and specifications. Examples of such products may be mobile phones, turbochargers, transformers of different specifications, etc. In such cases, the data may be furnished as prescribed in Table 3 instead of Table 1 of Annexure II. The data, however, in respect of items at serial nos. 1 to 11 and Table 2 of Annexure II needs to be necessarily furnished.

4. While providing the above data, care should be taken regarding the following aspects -

(a) Data provided should be complete for the exports made during the period April 2022 to September 2022. For a particular manufactured export item, the details of the input(s) that are used in the manufacture of that particular export item should be indicated.

(b) The incidence of duty should be furnished only for Customs duty on the inputs and Central Excise duty on petroleum products. The incidence of other taxes/duties such as IGST, CGST, SGST, Anti- Dumping Duty/ Safeguard Duty, Other States/UT taxes, etc. are not to be included for calculation of total incidence of duties for the purposes of Duty Drawback scheme.

(c) Data submitted, to the extent possible, should be representative of the exports by the small, medium as well as large manufacturer exporters, for a particular product.

(d) Data provided should be certified by the concerned manufacturers and their Chartered Accountants/ Cost Accountants.

(e) The data should be supported by relevant documents such as Bills of Entry of imported inputs, Shipping Bills of export product, relevant Central Excise invoices, etc.

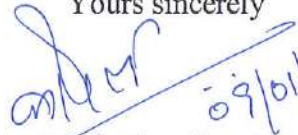
**(f) A copy of data submitted in Annexure II should also be provided in MS Excel format.**

5. In addition to above, your views/suggestions, if any, for rationalization of entries in the AIR Drawback Schedule, including for those tariff items where specific data has not been provided earlier, may also be sent along with justification.

6. It is requested that the above information should be sent to Drawback Division by 31<sup>st</sup> January, 2023. Your response should be sent on e-mail – [hasan.ahmed@gov.in](mailto:hasan.ahmed@gov.in). For any difficulty or clarification, you may kindly contact Shri Malay Samir, OSD (Drawback) at 011-23360581.

Encl: Annexures I & II

Yours sincerely

  
(Capt. Kapil Chaudhary)

Joint Secretary to the Government of India

Tel: 011-23341079

F.No. CBIC-140609/33/2022-O/o Dir(Drawback)-CBEC /27-39  
Government of India  
Ministry of Finance, Department of Revenue  
Central Board of Indirect Taxes & Customs  
Drawback Division

New Delhi, the 5<sup>th</sup> January, 2023

**ORDER**

**Subject: Constitution of Drawback Committee for the year 2023**

Government hereby constitutes the Drawback Committee for the year 2023, which shall comprise the following:

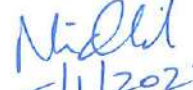
1. Shri G.K. Pillai, Secretary (retd.), Government of India, (Chairman),
2. Shri Y.G. Parande, Special Secretary-cum-Member CBEC (retd.), (Member), and
3. Shri Gautam Ray, Chief Commissioner of Custom and Central Excise (retd.), (Member).

Joint Secretary (Drawback) shall be the Secretary to the Committee, which shall be serviced by the Drawback Division in the Department of Revenue, Ministry of Finance.

2. The Terms of Reference of the Committee shall be as follows:-
  - (a) To interact with the administrative Ministries, Export Promotion Councils, Commodity Boards, Trade Bodies and other stakeholders so as to elicit their views on the All Industry Rates (AIRs) under Duty Drawback Scheme;
  - (b) To work out the modalities for calculation of Duty Drawback and recommend in their report the AIRs/caps including residuary rates of Duty Drawback for the existing items on the basis of changes in the duty/tax structure made in the Budget and other relevant factors, as deemed fit, as also for new items as may be suggested by the stakeholders;
  - (c) To work out AIRs/caps and suggest other relevant parameters for combination of AIR Duty Drawback with Advance Authorization Scheme of DGFT (in which fabric is allowed import duty free for manufacture and export of garments);
  - (d) To give supplementary report/recommendations on issues or representations, if any, arising from the revised schedule of rates.
3. For discharging the above Terms of Reference, the Committee will:-
  - (a) Determine the methodology;
  - (b) Decide the modalities of holding deliberations and meetings with the stakeholders;
  - (c) Conduct field visits and study specific production processes as it may consider necessary; and
  - (d) Provide documentation and calculation or worksheets, supporting the suggested AIRs as part of its report.
4. The Committee will submit its main report to the Government by 30<sup>th</sup> April, 2023. A supplementary report, if required, may also be submitted by 31<sup>st</sup> May, 2023 keeping in view any post-notification issues.

5. The members of the Committee shall be entitled to TA/DA as applicable to Group 'A' officers of equivalent status for its meetings with stakeholders or field visits outside Delhi which Committee decides to undertake. They shall be entitled to a sitting fee of Rs. 5000/- (Rupees Five Thousand only) per day of sitting. For sittings in Delhi, the Members shall also be entitled for admissible local conveyance. All expenses incidental to the functioning of the Committee, including office expenses, shall be met from the Budget of the Department of Revenue-Grant No. 31.

AS & FA (Finance) has concurred vide FTS No. 300547885 dated 02.01.2023.

  
5/1/2023  
(Nidhish Singhal)  
STO (Drawback)

To:-

1. Shri G.K. Pillai, Chairman, Drawback Committee.
2. Shri Y.G. Parande, Member, Drawback Committee.
3. Shri Gautam Ray, Member, Drawback Committee.
4. Joint Secretary (Drawback) - cum - Secretary, Drawback Committee, Department of Revenue, Ministry of Finance.

Copy to:-

1. PS/OSD to Finance Minister.
2. PS/OSD to Minister of State (Finance).
3. PPS to Secretary (Revenue).
4. Chairperson, CBIC.
5. Member (Customs), CBIC.
6. AS&FA, Department of Revenue, Ministry of Finance.
7. CCA, CBIC, Department of Revenue, Ministry of Finance.
8. JS (Revenue), Department of Revenue, Ministry of Finance.
9. DDO/PAO, Department of Revenue, Ministry of Finance.
10. Guard File.

**Annexure II to letter F.No. 609/33/2022-DBK dated 09.01.2023**

Format for data submission for Duty Drawback Scheme 2023										
Data to be provided for the export period: 01.04.2022 to 30.09.2022										
Serial No.	Item Field	Data to be filled								
1	Name of the Manufacturer/ Manufacturer Exporter									
2	Complete address of the manufacturing unit									
3	Name and designation of the contact person alongwith mobile number and email									
4	IEC/PAN									
5	HS Code of the export product at 8 digit level									
6	Drawback serial number of the export product									
7	Exact description of the product as per Shipping Bill(s)									
8	Standard Unit Quantity Code (UQC) of the export product, per Customs Tariff*									
9	Quantity of product exported during the relevant period (in UQCs)									
10	Total FOB value of product exported during the relevant period in INR									
11	FOB value of export product per UQC in INR									
12	<b>Table 1 - Input Details</b>									
	Input description	Input HS Code at 8 digit level	Quantity (in UQCs)	UQC	CIF value in INR per UQC	Import Ratio (in %)	Rate of BCD	Rate of Cess, if any	Rate of Surcharge, if any	Total Customs duty paid, in INR, on the input
	Input 1									
	Input 2									
	Input ...									
13	<b>Table 2 - Details of fuel used, including fuel used for captive power generation for manufacturing the export product</b>									
	Description of fuel used	HS Code at 8 digit level	Total Quantity used	Unit of Measurement	Total Central Excise duty paid, in INR, including Cesses and Surcharges, if any	Central Excise duty paid, in INR, per unit of export product				
	Fuel 1									
	Fuel 2									
	Fuel ...									
14	<b>Table 3 - Data for cases where multiple models of the export product are covered under the same CTH at 8 digit level (Refer para 3 of letter dated 09.01.2023)</b>									
	Export Product	Export Quantity in UQCs	Total FOB, in INR	Average FOB, in INR	Input 1 (Similar data may be given for Input 2, Input 3, Input ... etc.)					
					Input HS Code at 8 digit level	Item Description	Rate of BCD	Rate of Cess	Rate of Surcharge, if any	Total Customs duty paid, for input 1, in INR, for all models taken
	Model 1									
	Model 2									
	Model ...									
15	Please include additional remarks, clarification, etc. here, if any, with respect to export product, its inputs or its manufacturing process(es) along with supporting attachments/documents.									
	<b>Explanatory remarks</b>									
*	When the data submitted is for a unit of measurement different from Customs Tariff UQC, conversion ratio to Customs Tariff UQC may please be furnished.									