

Ashit Shah

24 Input Tax Credit of Custom Duty paid & SAD paid during GST era Facts of the matter The Applicant were engaged in the manufacture of printed poly packing materials. During 2011 they have imported certain machinery under EPCG Scheme and have availed concessional duty benefit under EPCG Scheme for import of capital goods for a period of 8 years ending 2019. Due to unforeseen circumstances, they could not fulfill the export obligation under EPCG scheme. Therefore, they have remitted duty amount along with interest on 25-09-2020. Applicant seeks the ruling on whether the Payment of Basic Customs Duty (BCD), Special Additional Duty (SAD) made on non- fulfillment of EPCG obligation could be taken as Input tax credit under GST. Observation by Authority Rule 3 of Cenvat Credit Rules allows credit of additional duties of CVD and SAD paid under Section 3 of the Customs Tariff Act, 1975. However.....