

S.MURUGAPPAN

ADVOCATE, HIGH COURT

ASSISTED BY:

J. RAGINI, B.A., B.L.,
K.NANCY, B.COM., B.L. (HONS.),
M.S.HARSHA PRABHU, L.L.M.
K.VIGNESHKUMAR, B.Sc., L.L.B.

CONSULTANTS:

GST,
CUSTOMS,
FOREIGN TRADE LAWS,
FOREIGN EXCHANGE MANAGEMENT ACT.

BY E-MAIL / COURIER

File No.45/2023-Opinion

13.03.2023

M/s. Nippon Steel Chemical & Material India Pvt. Ltd.,
Plot No. B-31 and B-31/1, SIPCOT Industrial Park,
Oragadam, Mathur Village,
Sriperumbudur Taluk,
Kanchipuram District – 602 105.

Attn.: Mr. J. Siraj, Assistant Manager – Finance & Accounts - siraj.j@nsm-chennai.in

Mobile: 9941935898

C.C.: aoyagi.to.wd9@nsm-chennai.in / kumar.c@nsm-chennai.in

Sir,

1. This is in continuation of our opinion given under the above reference on 08.03.2023. It is confirmed that once you have obtained the scrips after detailed scrutiny by the authorities concerned, then, they can be transferred to third parties as permitted under law. It may be noted that this has nothing to do with the claim for drawback.
2. As already stated, as per the legal provisions in force, in our view, there is no bar for taking drawback in the circumstances explained by you. However, if you want to be doubly sure and avoid any notices issued in future or litigation from the department, there is always a provision to seek clarification from the Customs themselves by writing to the Assistant Commissioner (Drawback) / Public Relations Officer in the Custom House and get their confirmation in writing. Such a confirmation will be useful and protect you in future.

Yours faithfully,



S. MURUGAPPAN

sm/ss

Disclaimer:- The above opinion is provided based on the information and documents made available to us by the querist and further based on the laws and rules prevalent as on date and the understanding of such provisions by the author and is meant for the private use of the person to whom it is provided without assuming any liability for any consequential action taken based on the views expressed here.