

F.No. 01/92/180/124/AM-22/PC-VI/42
Directorate General of Foreign Trade
विदेश व्यापार महानिदेशालय
Department of Commerce, Government of India
वाणिज्य विभाग, भारत सरकार
Vanijya Bhawan, New Delhi/ वाणिज्य भवन, नई दिल्ली
(Policy VI Division)

Dated 12.10.2023

✓ To,
ALL RAs, DCs.

Subject: Deemed Exports benefits on supply of fuel for Petroleum Exploration/Operation under Foreign Trade Policy, 2015-20 extended upto 31.3.2023)–Regarding .

Sir,

I am directed to refer to the matter regarding refund of TED on supply of fuel to Projects listed for petroleum operations in the Customs Notification No. 50/2017-Customs dated 30.6.2017 under S.No. 404 List 33 subject to conditions mentioned in Para 7.02(f) of FTP, 2015-20 . The matter has been examined in consultation with DoR and accordingly , all RAs/DCs are directed to consider the cases of refund of Deemed Exports benefits on supply of fuel for Petroleum Exploration/Operation under FTP 2015-20 (extended upto 31.3.2023) as per the following guidelines:

i) As clarified by TRU Division of DoR vide D.O. letter dated 1.2.2022 & O.M. No. CBIC-190354/149/2022-TO(TRU-I)-CBEC dated 25.07.2023, benefit of TED on supply of fuel for Petroleum Operations was available till 01.02.2022 and thereafter discontinued with effect from 02.02.2022 with the issue of Customs Notification No. 02/2022 dated 2nd February, 2022. Hence **claims received by RAs/DCs for refund of TED for supply of fuel for Petroleum Exploration/Operation till 01.02.2022 can only be considered.**

ii) The claims are to be examined in accordance to Para 7.08 (iii) of FTP, 2015-20 which *inter-alia* states that "Deemed export benefit shall be available on supply of "Fuel"(in respect of eligible fuel items covered under Schedule 4 of Central Excise Act 1944) provided supplies are made to:

a. Project listed for petroleum operations in the Customs Notification No. 50/2017-Customs dated 30.6.2017 under Sr. No. 404, as amended from time to time and covered in Para 7.02 (f)of FTP.

b. EoUs

c. Advance Authorisation holder / Annual Advance Authorisation holder.

iii) The applicants may be asked to give a declaration that HSD procured by them under the subject invoices in the application has been used for running, (repairing, or maintenance) of helicopters, all types of marine vessels to support petroleum operation including work boats, barges, crew boats, tugs and supply boats etc..

iv) The applicant may also be asked to submit a certificate from a Chartered Accountant saying that the HSD so procured has been included in the detail of expenditure, submitted for the relevant period, by him to Director General Hydrocarbons, Ministry of Petroleum and Natural Gases, Govt. of India. The certificate may also state that these expenses have not been disallowed by DGH.

v) It may also be checked from the invoices that the HSD has been procured by the Applicant from one of the public sector oil marketing companies and the excise duty on the same has been discharged in cash.

vi) **Only Basic Excise duty is to be paid.** No refund of other duties such as Additional Excise Duty/S. Additional Excise Duty etc. is admissible.

This issues with the approval of Competent Authority.

Yours sincerely,



(Pradyumna Sahu)

(प्रद्युम्न साहू)

Deputy Director General of Foreign Trade

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