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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
REVENUE

NOTIFICATION

No. 1899-F.T.

Howrah, the 31st day of December, 2018.

No. 26/2018-State Tax (Rate)

In exercise of the powers conferred by sub-section (1) of section 11 of the West Bengal Goods and Services Tax Act, 2017 (West Ben. Act XXVIII of 2017), the Governor, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, is pleased hereby to exempt the intra-State supply of gold falling in heading 7108 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when supplied by Nominated Agency under the scheme for "Export Against Supply by Nominated Agency" as referred to in paragraph 4.41 of the Foreign Trade Policy, read with relevant provisions of Chapter 4 of Handbook of Procedures, Volume-I, to registered exporter of jewellery (herein referred to as "recipient"), from the whole of the State tax leviable thereon, under section 9 of the West Bengal Goods and Services Tax Act, 2017, subject to following conditions, namely:—

- (i) the Nominated Agency and the recipient shall follow the conditions and observe the procedures as prescribed in the Foreign Trade Policy read with Handbook of Procedures, Volume-I.
- (ii) the recipient shall export the jewellery made out of such gold within a period of 90 (ninety) days from the date of supply of gold to such recipient and shall provide copy of shipping bill or bill of export containing details of Goods and Services Tax Identification Number (GSTIN) along with the invoice for exports to the Nominated Agency within a period of 120 (one hundred and twenty) days from the date of supply by the Nominated Agency.
- (iii) wherever such proof of export is not produced within the period mentioned in condition (ii), the Nominated Agency shall pay the amount of State tax payable on the quantity of gold not exported, along with interest from the date when the said tax on such supply was payable, but for the exemption.

Explanation. – for the purpose of this notification, -

- (a) "Foreign Trade Policy" means the Foreign Trade Policy, 2015-2020, notified by Government of India in the Ministry of Commerce and Industry *vide* Notification No. 41/2015-2020, dated the 5th December, 2017, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) *vide* S.O. 3813, dated the 5th December, 2017;
 - (b) "Handbook of Procedures" means the Handbook of Procedure, notified by Government of India in the Ministry of Commerce and Industry *vide* Public Notice No. 43/2015-2020, dated the 5th December, 2017, published in the Gazette of India, Extraordinary, Part-I, Section 1, *vide* F. No.01/94/180/333/AM 15/PC, dated the 5th December, 2017;
 - (c) "Nominated Agency" means entities mentioned in List 32 of Notification No. 50/2017-Customs, dated 30th June, 2017, published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (i), *vide* No. G.S.R. 785(E), dated the 30th June, 2017;
 - (d) "Heading" means heading as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).
2. This notification shall come into force on the 1st January, 2019.

By order of the Governor,

RAJSEKHARBANDYOPADHYAY
Additional Secretary to the Government of West Bengal.