

# CUSTOMS AND GST ALERT



## NEWS UPDATE

- The Finance Act, 2025 has been formally enacted. Amendments pertaining to Customs laws have become effective from 29.03.2025, and those pertaining to GST laws would become effective from a date to be notified by the Central Government.
- Central Government has released a list of Frequently Asked Questions (FAQs) in relation to the new scheme of taxation of restaurant services, which has become applicable from 01.04.2025. The FAQs can be accessed [here](#).

## CASE LAW UPDATES

### SIDDHESHWAR INFRASTRUCTURE v. UNION OF INDIA AND ORS

Writ Petition No 5173 of 2022

**Bombay High Court** (Nagpur bench) holds that extended period of limitation under the GST regime could not be invoked, in cases where the same issue had been raised by issuing a show cause notice under the Service Tax regime.

### CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS v. ABERDARE TECHNOLOGIES PVT LTD

[2025] 172 taxmann.com 724

**Supreme Court**, upholds the judgement of the Bombay High Court which directed the department to allow rectification / amendment of GST returns (even beyond the statutorily

prescribed period) and emphasises that the *right to correct mistakes in the nature of clerical or arithmetical error* was a right that flowed from the *right to do business* and should not be denied, except for justifiable reasons.

### **INTERGLOBE AVIATION LTD v. PRINCIPAL COMMISSIONER OF CUSTOMS ACC (IMPORT), NEW CUSTOMS HOUSE, NEW DELHI AND ORS**

[2025] 172 taxmann.com 147

**Delhi High Court** quashes Notification No 26/2021-Cus and Circular No 16/2021-Cus mandating payment of IGST under the Customs Tariff Act, 1975 (CTA) on the *repair value, freight and insurance* at the time of import of goods sent abroad for repairs, by holding that CTA could not levy a tax on *import of services*, since such levy fell within the exclusive domain of the Integrated Goods and Services Tax Act, 2017.

### **GILLETTE DIVERSIFIED OPERATIONS PVT LTD v. JOINT COMMISSIONER OF GST AND CENTRAL EXCISE (APPEALS-II)**

[2025] 172 taxmann.com 550

**Madras High Court** holds that once the original refund applications were filed within the limitation period prescribed under section 54 of the Central Goods and Services Tax Act, 2017, then the subsequent refund applications filed after correction of deficiencies even beyond the said limitation period could not be rejected on the ground of delay.

## **REGULATORY UPDATES**

### **Goods and Services Tax**

#### **NOTIFICATION NO 11/2025-CT**

Central Government, in relation to the recently introduced interest and penalty waiver scheme for the periods FY 2017-18 to FY 2019-20 has stipulated that (i) in case the period covered by a demand order extends beyond the aforementioned years, benefit of waiver could be availed by making payment of full tax pertaining *only to the aforementioned years*; (ii) in the above situation,

in case an assessee has already made payment of full tax pertaining to the additional years beyond those mentioned above, no refund of such tax shall be available; and (iii) in the above situation, in case an appeal has already been preferred, the assessee would be required to intimate the appellate forum of its intention to not pursue the appeal for the aforementioned years, to be eligible for the benefit of waiver.

#### **CIRCULAR NO 248/05/2025**

Central Government, in relation to the interest and penalty waiver scheme described above, has clarified that payment of tax made through Form GSTR 3B prior to the scheme coming into force on 01.11.2024 shall also be considered for benefit under the scheme, subject to verification by the department. Central Government has additionally reiterated the stipulations mentioned in Notification No 11/2025-CT discussed above.

### **Customs**

#### **NOTIFICATION NO 18/2025**

Central Government has amended one of the conditions prescribed for availing exemption from Customs duties on re-import of *cut and polished diamonds* into India after certification/grading, which stipulated that the *re-imported diamonds must match with corresponding diamonds mentioned in the invoice at the time of exportation in terms of value, height, circumference and weight*, to allow a variance of up to  $\pm 0.05$  mm in diameter for round shape diamonds and  $\pm 0.07$  mm in length and breadth for diamonds of other shapes, variance not exceeding  $\pm 0.01$  mm in height, and variance not exceeding  $\pm 1$  cent in weight.

#### **NOTIFICATION NO 21/2025**

Central Government has amended the rate schedule under the India-UAE Comprehensive Economic Partnership Agreement (CEPA), with effect from 01.04.2025.

#### **NOTIFICATION NO 22/2025**

Central Government has amended the rate schedule under the India-Mauritius Comprehensive Economic Cooperation and Partnership Agreement (CECPA), with effect from 01.04.2025.

#### **NOTIFICATION NO 14/2025-NT**

Central Government has amended the Customs (Administration of Rules of Origin under Trade Agreements) Rules, 2020 to replace the term “Certificate of Origin” with a broader term “Proof of Origin”, potentially increasing compliance burden on importers.

#### **NOTIFICATION NO 18/2025-NT**

Central Government has introduced the Postal Imports Regulations, 2025 to govern the assessment and clearance of goods imported through Foreign Post Offices.

#### **NOTIFICATION NO 20/2025-NT AND CIRCULAR NO 10/2025**

Central Government has deferred implementation of the Sea Cargo Manifest and Transshipment Regulations, 2018 for Customs ports other than *Mormugao, Mangalore, Mumbai, Kandla, Tuticorin, Vishakhapatnam, Ennore, Kattupalli* and *Cochin* till 31.05.2025. Central Government has intimated that this would be the final extension and has urged carriers and transshippers to start electronic filing of messages in the new format, pertaining to export of cargo at sea ports and transshipments, respectively.

#### **CIRCULAR NO 08/2025**

Central Government has clarified that *camera modules* when imported as an integrated assembly, shall attract the concessional customs duty rate of 10%, whereas *components* of camera module imported individually shall attract the applicable customs duty rate.

#### **Circular No. 13/2025-Customs**

Central Government has rescinded Circular No. 29/2020-Customs, effectively discontinuing the transshipment of export cargo from Bangladesh to third countries through Indian Land Customs

Stations (LCSs) enroute to ports and airports. This directive vide Circular No. 13/2025-Customs—is effective immediately.

### Foreign Trade Policy

#### **NOTIFICATION NO 66/2024-25**

Directorate General of Foreign Trade has notified that support under the Remission of Duties and Taxes on Exported Products (RoDTEP) scheme for export of products manufactured by units operating under Advance Authorization, Special Economic Zone and Export Oriented Units schemes, shall be available only up to 05.02.2025.

#### **PUBLIC NOTICE NO 51/2024-25**

Directorate General of Foreign Trade has extended the last date for filing Annual RoDTEP Return for FY 2023-24 to 30.06.2025. The applicable grace period has also been extended till 30.09.2025.

#### **PUBLIC NOTICE NO 53/2024-25**

Directorate General of Foreign Trade has prescribed certain additional declarations for issuance of Diamond Imprest Authorization viz. that (i) the entity possesses a valid Two Star or higher status; (ii) the entity has filed all required Income Tax and Goods and Services Tax returns for the applicable periods; (iii) the entity shall abide by the Pre-Import Condition and Actual User Condition; and (iv) the application being filed is the entity's first application for the relevant financial year.

#### **TRADE NOTICE NO 34/2024-25**

Directorate General of Foreign Trade has initiated a process to review the existing Standard Input Output Norms (SION) for *automobile tyres*. Stakeholders seeking modifications in SION may submit comments / suggestions along with detailed justification, production and consumption data, wastage norms certified by a Chartered engineer, and other relevant documents via email to [nc7.dgft@gov.in](mailto:nc7.dgft@gov.in) on or before 04.05.2025.

**For any clarifications, please write to:**

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