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**Government of India
Ministry of Finance,
Department of Expenditure
O/o Controller General of Accounts
Mahalekha Niyantrak Bhawan,
E-Block, GPO Complex
INA, New Delhi-110023**

No. R-180001/1/2020-GBA-CGA/918-1068

Dated: 17th September 2021

OFFICE MEMORANDUM

Reference is invited to this office OM no. 1(1)/2006/ECS/TA/165 dated 28th March 2016 through which guidelines for use of Debit/Credit Cards for receipt of government revenue were issued.

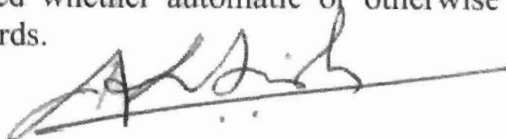
In addition to the guidelines referred to in this office OM above, the following guidelines are being issued for use of Domestic and International Debit/ Credit Cards on the Government Portals/Websites for payment of Government revenues (Tax or Non-tax) by the Customers desiring services from Government of India Ministries/Departments.

1. International Cards:

- (i) An International Debit or Credit Card is one which has been issued by a bank situated outside India.
- (ii) Use of International Debit/Credit Cards may be allowed for collection of Government of India Revenues (Tax/ Non-Tax), Fee, Other Charges in Indian Rupees (INR).
- (iii) The Acquirer bank in case of card based payment through their Payment Gateway should be able to identify an International Debit/Credit cards through its numbers.
- (iv) All revenues payable to the Government would be in Indian Rupees (INR) only as desired by the receiving Department/ Ministry.

2. Charge-Back Policy on Debit/ Credit Cards:

- (i) There shall not any auto charge-back on the Government portal/ websites i.e. no chargeback would be allowed whether automatic or otherwise on Domestic or International Debit/Credit Cards.



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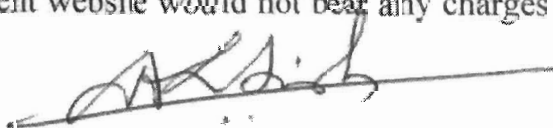
- (ii) All Central Government portals collecting money would display Charge-back policy upfront to the Customer seeking service.
- (iii) No Aggregator or card issuing bank would be allowed to raise a charge-back claim on a Government portal/website facilitating collection of Government revenue (Tax or Non-tax).
- (iv) RBI has informed this office that , in case of International Cards, as the Card issuing entity is not in India, RBI has no jurisdiction over it, Government websites/Payment Portals may be asked to enter into arrangement with Acquirer Bank/PGA for not allowing Charge-back by Cards issuers/Aggregators like VISA/MASTECARD /MAESTRO/ DINERS etc.

3. Merchant Discount Rate Charges (MDR)

- (i) Every Authorized Acquirer Bank shall display MDR charges/Fees etc. on the Government portal/website prominently.
- (ii) No MDR shall be paid by the Government portal to the Authorized Acquirer Bank and their PGs/ PGAs. All MDR charges would be paid by the Customer/ Card Holder in addition to the fee/charges for services sought for in terms of Rule 6 of Receipt and Payment Rules.
- (iii) All Authorized Acquirer Banks shall ensure that their customers are well informed in advance as per the agreement between the Customer and the Card company in this regard. As per the advice of the RBI, all Government Websites /Payment Portals have to enter into suitable agreement with Acquirer Banks in this regard. (Government not to bear any MDR charges)

4. Refunds:

- (i) All Government of India portals/websites facilitating collection of Government revenue must convey a system for refunds if any through concerned Ministry/Department as per their standard refund process.
- (ii) Refunds, if any, would be in Indian Rupees and through the normal departmental channels and no auto debit of the government account would be allowed.
- (iii) Refund, if any, would be channeled to the Payee through the Card which was used for payment initially after the same has been approved and sent by the Department.
- (iv) All exchange rate variations would be borne by the Customer/ Card holder, even in case of refunds. Government website would not bear any charges on account of exchange rate variations.

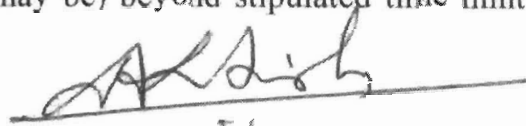


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5. Miscellaneous Issues regarding International Debit/Credit Cards:

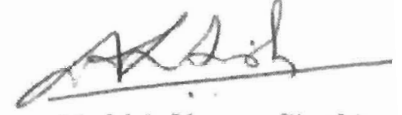
- (i) RBI has clarified that as these would be cross-border transactions involving a foreign issuer and domestic acquirer, in terms of the RBI circular dated April 6, 2018 and FAQs dated June 26, 2019 on 'Storage of Payment System Data', both the domestic acquirer and the card network involved in the processing of such transaction are required to store a copy of the payment data (both domestic as well as foreign components) in India. Accordingly, the payment data for such transactions should be available in India and can be called for by the RBI or the Government as and when required, including for reconciliation.
- (ii) RBI has clarified vide their circular dated October 25, 2021¹⁰ that "Credit/Debit Card transactions- Security Issues and Risk mitigation measures for Card Not Present Transactions" clearly mentions that the mandate for Additional Factor of Authentication (AFA) is not presently applicable for use of cards issued outside India, on Indian merchant sites. It has further clarified that:
 - a. The guidelines on Online Payment Gateway Service Providers (OPGSP) issued by Foreign Exchange Department RBI are not applicable in the instant case as there is no import/ export involved. Further, as the transactions envisaged are in the nature of current account transactions and are neither prohibited nor under approval route under the Foreign Exchange Management (Current Account Transactions) Rules, 2000 there are no restrictions on such transactions under FEMA, 1999.
 - b. The transactions are permitted to be routed through authorized banking channels irrespective of channel adopted (SWIFT, credit/ debit cards, etc.).

As per RBI, settlement of card transaction happens as per the timeline laid down by the individual card networks. However for Government websites/ Payment portals Authorized Acquirer Banks must settle their receipts with RBI or Accredited bank of the service rendering Ministry/ Departments within T+2 days (Maximum), where T is the transaction day. Accredited Bank will settle with RBI as per existing norm for e-Receipts. Any delay in settlement by the Acquirer Bank or Accredited bank in settlement with Accredited Bank or RBI (as the case may be) beyond stipulated time limit will attract penalty as per CGA norms.



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This issues with the approval of Competent Authority.



(Ashish Kumar Singh)

Dy. Controller General of Accounts (GBA)

To,

1. Secretary to the Government of India, all Ministries/Departments
2. Financial Advisors of all Ministries/Departments of Government of India
3. Pr.CCA/CCA/CA's with independent charge of all Ministries/Departments.
4. The Controller of Defence Accounts, M/o Defence
5. Member (Finance), Department of Posts, Ministry of Communications
6. Member (Finance), Department of Telecommunications.
7. Executive Director (Finance), Railway Board, M/o Railways
8. Director of Accounts, UT Administration of Andaman and Nicobar Islands
9. Director of Accounts, UT of Dadra and Nagar Haveli, Daman & Diu
10. Director of Accounts, UT of Chandigarh
11. Controller of Accounts, Government of NCT of Delhi

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11. Sr.A.O.(ITD) with the request to upload this OM on CGA's website.